

**HARASSMENT AND SEXUAL
HARASSMENT PREVENTION POLICY**

Siloam United Church
London, Ontario

HARASSMENT AND SEXUAL HARASSMENT POLICY

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1.0 INTRODUCTION

This document is based on the United Church of Canada handbook, *Faithful Footsteps – Screening Procedures for Positions of Trust and Authority in the United Church of Canada: A Handbook* (2000), document *Duty of Care* (2008).

From *Faithful Footsteps – Screening Procedures for Positions of Trust and Authority in the United Church of Canada: A Handbook* (pp. 19 – 20).

“Church communities need to be places where there is welcome and safety for people of all walks of life. In applying screening measures to selection processes for work in churches we are not intending to ‘bar the doors’ against certain types of people. We need to recognize that God works changes in the lives of individuals, and that the church celebrates personal growth and transformation.

At the same time, it is essential that the church be vigilant in its efforts to create and maintain safe environments and safe services for all participants. This will mean that some types of high-risk positions will not be open to all applicants. Faithful stewardship of human resources will allow other kinds of opportunities to be open to those who are not suitable for work with vulnerable people.”

1.1 Statement of Commitment

Siloam United Church, (hereinafter called Siloam) being an active congregation in the United Church of Canada, is located in London, Ontario. We are committed to providing a safe environment for work and study for all staff, volunteers, ministry personnel and guests. This commitment is demonstrated by our staff, volunteers and ministry personnel through respect for personal boundaries and protection for others from harm and abuse, while enabling those in their care to learn and grow in their Christian faith.

Siloam administration, members, staff, visitors and volunteers are responsible for ensuring that Siloam maintains an environment for worship, work and all types of social interaction free from Harassment or Sexual Harassment. Harassment and Sexual Harassment violates the dignity of individuals and will not be tolerated.

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2.0 GENERAL GUIDELINES

Harassment or Sexual Harassment may occur between any individuals associated with Siloam, e.g. an Employee, Co-worker, Volunteer, Leader, Member of our congregation, Visitor, Vendor, third parties working on behalf of Siloam or any other person being on or near Siloam property by invitation or otherwise. As a result, the Ministry and Personnel Committee has established guidelines for the protection of all staff, leaders, volunteers and participants involved in activities at Siloam.

Note: These guidelines apply to **all** groups, programmes and individual activities at Siloam, **regardless of the risk level assigned:**

- a) Be familiar with the location of all exits, emergency lighting, first aid kits, accessible phones, fire extinguishers and their operation.
- b) Upon becoming aware of an incident in contravention of this policy, staff, members and volunteers are required to report it to a Minister or Siloam committee member within two business days.
- c) All volunteers are required to submit a completed Volunteer Application Form (see 11.4 Appendix D).

NOTE: All Forms are available in the Forms binder in the Narthex bookshelf.

3.0 DEFINITIONS

- **Children** – persons under 18 years of age.
- **Church Council** – members of Siloam who are responsible for governance of Siloam’s congregation and activities
- **Complainant** - means a person who lodges a complaint.
- **Investigators** – persons designated by Siloam as responsible for investigating all complaints of Sexual Harassment.
- **Offender** – a person or persons alleged to have committed an act prohibited by this policy
- **Responsible Adult** – a person at least 18 years of age and possessing a valid (within 5 years) Vulnerable Sector Screening Certificate
- **Risk management** - means “taking care to consider the possibility that something could go wrong and taking steps to stop, minimize, prevent or eliminate the circumstances which may lead to injury, abuse or harm to programme participants.”
- **Staff** - includes all persons employed by Siloam who provide direct or indirect services on behalf of Siloam.
- **Volunteer** - refers to all persons who provide direct or indirect services on behalf of Siloam.
- **Vulnerable Persons** – persons in a position of dependence, or otherwise at greater risk of harm from persons in a position of trust or authority relative to them, because of their age, a disability, or other circumstances (whether temporary or permanent)
- **Vulnerable Sector Police Records Check** – (hereinafter called PRC) refers to a search of a person’s name, gender, date of birth against the RCMP National Repository of Criminal

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Records, Pardoned Sex offenders and various other police databases, as may be amended by police organizations from time to time.

- **Ministry and Personnel Committee**- also referred to as “the Committee” or “Risk Management Committee”.

3.1 Examples of Harassment and Sexual Harassment

Harassment often involves repeated words or actions, or a pattern of behaviours, against a worker or group of workers in the workplace that are unwelcome.

This may include:

- a) making remarks, jokes or innuendos that demean, ridicule, intimidate or offend;
- b) displaying or circulating offensive pictures or materials in print or electronic form;
- c) bullying;
- d) repeated offensive or intimidating phone calls, e-mails or other forms of communication.

Sexual Harassment includes unwelcome sexual advances, requests for sexual favors, and other physical or verbal conduct of a sexual nature including any of the following:

- a) conduct made either explicitly or implicitly a term or condition of an individual's employment;
- b) Incidents of unwelcome physical touching with a sexual connotation, including but not limited to, unwanted touching, patting, hugging, brushing against a person's body, or staring;
- c) direct propositions of a sexual nature and/or subtle pressure for sexual activity that is unwanted and unreasonably interferes with a person's work, worship, study or other activity within the Church environment;
- d) sexual comments or inappropriate references to gender;
- e) sexually explicit statements, questions, jokes, or anecdotes regardless of the means of communication (oral, written, electronic, etc.);
- f) inquiries and commentaries about sexual activity, experience, or orientation, or
- g) display of inappropriate sexually oriented materials on Siloam premises.

4.0 POLICE RECORDS CHECK REQUIREMENTS

- 4.1 Siloam requires that all Volunteers for a High Risk position provide an acceptable PRC dated within 60 days of their application for the position. The staff/volunteer applicant will be required to obtain a PRC from the police services in their area of residence.
- 4.2 Volunteers in High Risk positions will provide an up-to-date PRC at least once every five years and the Committee may in its sole discretion require more frequent PRC's.
- 4.3 The information contained in the PRC will be considered in the context of the specific duties of the position and the factors described in Section 5.0 Levels of Risk. Upon receipt of the PRC, the Chair of Church Council or his/her delegate may convene a meeting with the Applicant and other relevant persons to reach an informed decision.

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PRC information will be collected according to the standards of The Personal Information Protection and Electronic Documents Act (PIPEDA).

- 4.4 Applicants under 18 years of age must submit a consent form completed by his/her parent/guardian.

5.0 LEVELS OF RISK

1. Siloam will provide job descriptions for all Staff and Volunteer positions.
2. The Committee has identified two levels of risk within our faith community. These two levels are identified as: Low and High. (For greater detail see 11.04, Appendix F.)
3. The Committee reserves the right to amend the risk rating level by either increasing or decreasing it following due consideration.

5.1 High Risk Rating

All activities and meetings in which children and youth are involved must be approved in advance by the Youth Minister or delegate. Group leaders are required to notify the church's Administrative Assistant of their plans. The following factors influence the level of vulnerability and risk for persons involved in programmes and activities held by Siloam:

- a) age (i.e. those who are juveniles or elderly and frail are deemed to have greater dependency and are considered as more vulnerable than others);
- b) location (situations where Vulnerable Persons may be alone with Staff or Volunteers or in a location where they are not readily observable);
- c) nature of the activity (i.e. individual versus group);
- d) assistance with personal, or private matters by Staff or Volunteers (e.g. financial matters, dressing, toileting, etc.), and
- e) The nature of the relationship between the Vulnerable Person and Staff or Volunteers (e.g. a position of trust).

5.2 High Risk Guidelines

The Risk Management Committee has assessed the following groups and organizations as High Risk. These groups are considered to be High Risk because the participants in their activities are Vulnerable Persons or there is access to confidential information and/or money or there is the possibility of physical risk.

- a) Pastoral Care Visitation Team,
- b) Vacation Bible School, or similar activities held throughout the year,
- c) Church Nursery and Sunday School, when occurring outside of normal Sunday services, or when held in a room where surveillance by passersby cannot occur,
- d) Youth and Student Ministries,
- e) Children's music programs,
- f) All Staff,
- g) Siloam-approved Outreach Activities

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5.3 Low Risk Rating

The following groups and organizations are assessed as Low Risk. They are placed at this level because there are no children or vulnerable people currently participating in these groups and organizations. If or when children, youth and/or vulnerable adults become involved with them, the increased level of risk will be reviewed and may be revised.

- a) Board of Trustees
- b) Rose Birrell Women's Group
- c) Senior Choir / Siloam Sounds Bell Ringers
- d) Church Council and all its committees (Confidentiality Agreement required – Appendix E), and
- e) Pastoral visiting in institutions

5.4 Low Risk Guidelines

All Staff and Volunteers involved with Low Risk activities are required to adhere to the General Guidelines for all groups, programmes, and/or activities taking place on Siloam premises or at approved Siloam activities, wherever located.

6.0 HIGH RISK GUIDELINES

All Staff and Volunteers are required to adhere to the General Guidelines for all groups, programmes or individual activities taking place on Siloam premises or at Siloam activities off-premises plus comply with the following requirements. This includes, but is not limited to:

- a) Doors to classrooms and other meeting/gathering spaces without windows are to be left partially open at all times.
- b) More than one Responsible Adult must be present with a high-risk group unless an exception is approved by the Church Council. Whenever reasonably possible, one male and one female Responsible Person is required to be in attendance.
- c) There is to be a minimum of two (2) supervisors, with at least one being a Responsible Adult, for groups or classes of children. Additional supervisors are to be sought as deemed necessary by the appropriate committee or Church Council.
- d) Visits or other forms of contact made through the Pastoral Care Visitors must inform the Minister of Pastoral Care and Visitation or designate of each visit.
- e) Representatives of Siloam, who engage in at-home pastoral visiting, will receive orientation training on this policy.
- f) Sunday School staff, pastoral care visitors and other official representatives of the congregation who engage in pastoral visiting will be required to wear a Siloam-issued name tag while engaging in volunteer activities.

6.1 Guidelines for Working with Vulnerable Persons

When an adult Staff or Volunteer finds him/herself alone with a Vulnerable Person for any amount of time that may be seen as creating a position of influence, in a situation of emotional intensity, they will find another adult or at least inform the young person's parent or guardian as quickly as possible under the circumstances.

- a) Leaders shall remain until all young persons are under the care of their parent/guardian.

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- b) Adult Staff or Volunteers who form a relationship with young persons through our Siloam activities are not permitted to spend time alone with the child without advance knowledge and consent of parent/guardian.
- c) It is the adult's responsibility to ensure that inappropriate physical contact does not occur.
- d) Parents and guardians of young persons in our programmes are encouraged to talk with their children about the programmes, the volunteers and staff that they encounter.

7.0 HARASSMENT PROCEDURES AND REPORTS

Upon receipt of a Harassment or Sexual Harassment complaint, the Committee will ensure that it is investigated promptly to support Siloam's commitment (see clause 1.1) to provide a safe environment. With this in mind, the needs of the Complainant take priority. However, Siloam also desires to provide the alleged Offender, to the extent it deems possible, with support that will reduce the likelihood of a recurrence.

7.1 Complaint Procedures

- a) Complaints can be filed by contacting any member of M&P at Siloam. Complaints of Harassment or Sexual Harassment should be filed within six months of notice of the event(s) that gave rise to the complaint.
- b) Complaints filed after six months may be investigated based on extenuating circumstances that precluded earlier disclosure.
- c) The Complainant will be advised that the investigative report will be forwarded to Church Council.
- d) Filing a complaint with Siloam personnel does not prohibit the Complainant from filing a complaint with the Ontario Ministry of Labour or London Police Services. Complaints filed with outside agencies will take priority, and any Siloam investigation will be suspended pending the outcome of the outside investigation.

7.2 Method of Investigation

Siloam's M&P Committee will designate Siloam members, or other persons with relevant qualifications, to investigate all complaints under this policy. Investigations will be conducted by at least two persons appointed by Church Council. At least one Investigator will be of the same gender as the Complainant.

Investigation will contain at least the following steps:

- a) Obtain a statement, which will be recorded in writing, from
 - 1) the Complainant,
 - 2) any witnesses, and
 - 3) the alleged Offender;
- b) An interview including at least two Investigators with the alleged Offender,
- c) The Complainant and the Offender will be advised of the Investigators' findings and the recommendations that will be submitted to Church Council.

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- d) In cases where it is determined that safety of individuals is at risk, the Complainant and/or the offender may be instructed to stay away from the workplace and Siloam activities until it is determined by the investigators that the threat of harm no longer exists.
- e) The incident report and all records of the investigation and its outcome will be stored securely as described in Section 11 'Confidentiality'.

7.3 Making a Complaint

In the case of an inappropriate minor offensive act, (as perceived by the Complainant) the Complainant is encouraged to immediately advise the offending person to stop the Harassment. If the Harassment continues, the following steps are to be taken:

- a) Advise the offender that the appropriate authorities and other persons present will be notified immediately of the unwelcome attention.
- b) Provide witnesses and/or documentation from individuals that have first-hand knowledge of the incident.
- c) Respect the confidentiality of all parties. Disclose and discuss the incident with appropriate authorities only.
- d) Keep the Investigator(s) informed of any new concerns or retaliation.

7.4 Investigators' Duties

- a) The Investigators will discuss the reporting options to the complainant.
- b) The Investigators will request written, signed statements from adult Complainants and the alleged Offender as well as all known witnesses; minor Complainants will provide a statement which will be written down and signed by the Complainant's parent or guardian.
- c) If an investigation is commenced, the Investigators will notify the Complainant and alleged Offender of the investigation. Progress reports may be given to the Complainant and Offender on a timely basis.
- d) Maintain and safeguard all data regarding the complaint in a secure location.
- e) The investigators will advise the Complainant and the alleged Offender of the following facts:
 - 1) The behaviors and any related issues that gave rise to the complaint.
 - 2) The policy under which the complaint is brought and these investigation guidelines.
 - 3) Siloam has a statutory obligation to address complaints and suspected instances of Harassment or Sexual Harassment.
 - 4) Siloam is not precluded from taking any action it deems appropriate, including informing the alleged Offender of the allegations and pursuing an investigation, even in cases when the complainant is reluctant to proceed. The Complainant will be notified in advance when such action is necessary.
 - 5) The manner and frequency with which the Complainant and alleged Offender will be updated about the status of the investigation.
 - 6) The importance of confidentiality during the investigation. To the extent possible, the Investigator(s) will make every reasonable effort to conduct all proceedings in a manner that protects the confidentiality of all parties. Parties to

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the complaint should treat the matter under investigation with discretion and respect for the reputation of all parties involved.

- 7) The Complainant or the alleged Offender may have an individual accompany them at interviews and meetings.
- 8) Siloam policy and Federal and Provincial law prohibit retaliation against an individual for reporting Harassment of any type or for participating in an investigation. Retaliation is a serious violation. All allegations of retaliation directed to the Investigator(s) will be investigated.

7.5 Committee Duties

- a) The Committee will consider the Investigator's recommendations for appropriate disciplinary action irrespective of the alleged Offender's status with Siloam.
- b) Upon determination of appropriate disciplinary action it will promptly inform the Church Council of its decision.
- c) The Committee will recommend a prompt report to London Police Services if the matter has not been previously reported.

8.0 INVESTIGATION OUTCOMES

8.1 Investigation Purpose

An investigation report submitted by the Committee to Church Council may result in one or more of the following findings:

- a) A determination that there is either sufficient or insufficient evidence based on a balance of probabilities to confirm the complaint.
- b) A determination that there is sufficient evidence to indicate that an allegation is false. (E.g. when someone intentionally reports information or incidents that are untrue).
- c) Investigators may submit their recommendation for disciplinary action as follows:
 - 1) Employees: Appropriate disciplinary action may range from written reprimands, suspensions, or other action up to and including employee dismissal with cause.
 - 2) Volunteers: disciplinary action may range from written reprimand, through to relevant training, removal from High Risk volunteer positions or dismissal from Siloam's congregation.
- d) Guests who are found to have conducted themselves in violation of this policy will not be permitted to join Siloam and will be advised that they are no longer a welcome guest.
- e) The Siloam Church Council will promptly inform London Police Services and other relevant law-enforcement agencies upon becoming aware that a complaint is factual and probably true.

9.0 SAFETY PROCEDURES

Siloam requires all Staff and Volunteers to co-operate in every respect with this policy. Some of the major points of this policy require that:

- a) All staff and volunteers must use personal protective equipment suitable for the activity undertaken.

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- b) Staff and Volunteers will report all injuries and incidents to his/her supervisor and to the parents or guardians of a young person promptly at the time of or after obtaining necessary medical aid.
- c) Hazardous conditions and other safety concerns must be reported immediately to your supervisor, group leader or staff member.
- d) Staff and Volunteers will follow relevant safety rules; failure to do so may result in disciplinary action.

10.0 INJURY PROCEDURES AND REPORTS

- a) The first priority is to provide medical support to the injured person. Apply immediate first aid if able or call 911 if professional treatment is needed.
- b) Complete the form and submit to the office administrator as soon as possible but at least within three calendar days.
- c) The office administrator will give the form to a Minister or designate within 48 hours or immediately if the incident may result in permanent injury. The Minister or designate will follow up with the individual, parent or guardian within two days of receiving the form to determine the current status of the injured person.
- d) If an adult declines professional medical assistance, note that information on the incident report form. Complete the Injury Form Report (Appendix C) as soon as possible.
- e) Copies of the form are available in the forms binder located in the Narthex.

10.1 Investigating an Injury Report

An injury investigation has three intents:

- a) to evaluate the root cause of the injury and seek practical ways to prevent a recurrence, and
- b) submit the investigative findings to Church Council for appropriate action, and
- c) formulate a factual response should allegations of negligence be received in order to protect Siloam's reputation, legal rights and assets.

11.0 CONFIDENTIALITY

To the extent possible, all information received in connection with the filing, investigation, and resolution of allegations will be treated as confidential except to the extent it is necessary to disclose particulars in the course of the investigation or when compelled to do so by law. All individuals involved in the process should observe the same standard of discretion and respect for the reputation of everyone involved in the process.

12.0 LIST OF APPENDICES

12.1 Appendix A: Child and Youth Ministry Informed Consent Form

Siloam United Church, London, Ontario

Description of Activities: Child/youth may attend events that are held at Siloam United Church or other venues as determined by Siloam. Events and activities include, but are not limited to: Sunday school, small groups, worship services, athletic and social events and Friday night programs.

I give consent and permission for the child/children listed below to participate in all activities as described above. I/we agree to be contacted by the child/youth group leader/s, ministers or others as authorized by Siloam, via phone, Facebook, Email, or similar electronic messaging about matters of Siloam anytime during the above period.

Printed Name of parent/guardian (circle one): _____
First name / Initial /Last name

Parent/Guardian Signature: _____ Date: _____
(dd/mm/yy)

As part of Siloam Child/Youth Ministry activities, photographs and videos may be taken. These photographs and videos may be used on the Siloam website or in Siloam publications, church promotional materials or other visual (e.g. PowerPoint) presentations. In no event will the photographs or videos be used by Siloam for commercial purposes.

I **DO** or **DO NOT** give permission for my child/youth, _____,
to be used in these photographs and videos as described above. (Please correct choice.)

1. CHILD/YOUTH INFORMATION

Name: _____ Birth Date (dd/mm/yy): _____
First name/Middle Name/Last name

Grade: _____ School: _____

Email: _____

Health Card #: _____

Family Doctor: _____ Phone No. _____

Medications: _____

Please attach a sheet describing any allergy or medical conditions we need to be aware of based upon the activity stated.

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12.2 Appendix B: Incident Report Form

INCIDENT REPORT FORM

Name of Group or Organization: _____

Date of Event: _____ Time of Event: _____ am/pm

Type of Event: _____

Location of Event: _____

Who Was Involved? _____

Name of Witnesses: _____

Briefly Describe what happened:

How did you respond?

Print Name: _____ Signed: _____

Date of Report: _____

Personal information collected on this form will be kept on file and used only for the purpose stated.

Please direct any inquiries to Siloam United Church at 519-455-9201.

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12.3 Appendix C: Injury Report Form

INJURY REPORT FORM

Injured person's name: _____ Age: _____

Gender: M F

Date of Injury: _____ Time of Injury: _____ am / pm

Date and Time Injury Reported: _____

Who was notified? _____

Name(s) and phone nos. of Witness(es):

Location **where** the injury occurred: _____

Describe **what** happened:

Which **part** of the body was injured? _____

If you know the extent of injury, please describe: _____

Was medical attention sought? Yes or No:

If yes, Name of Doctor and / or Hospital providing treatment: _____

Name of Parent / Guardian notified: _____

Signature of Volunteer / Staff: _____ Date: _____

Volunteer / Staff's Name (print): _____

Describe any follow-up action(s) taken: _____

***Personal information collected on this form will be used only for the purpose stated.
Please direct any inquiries to Siloam United Church at 519-455-9201.***

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12.4 Appendix D: Volunteer Application Form

VOLUNTEER APPLICATION FORM

Surname: _____

Given Name(s): _____

Address: _____

E-mail Address: _____

Day phone #: _____ Night phone #: _____

Name / Phone no. of Emergency Contact: _____

Are you over the age of 17? Yes No How much time can you commit to volunteer work?
Provide days and times.

Please describe your areas of interest _____

Please provide any other information that you think may be relevant: _____

Provide names and addresses of two people (not relatives) whom we could contact for references:

1. Name: _____

Address: _____

Day Phone: (_____) _____ ext. _____ Night Phone #: _____

2. Name: _____

Address: _____

Day Phone: (_____) _____ Night Phone#: (_____) _____

Signed: _____ Date: _____

Volunteers for activities involving young person or vulnerable adults are required to present a Vulnerable Sector Screening Certificate to the church before appointment.

***Personal information collected on this form will be used only for the purpose stated.
Please direct any inquiries to Siloam United Church at 519-455-9201.***

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12.5 Appendix E: Confidentiality Agreement

CONFIDENTIALITY AGREEMENT

I, _____, understand that as a result of serving on
(print name)

_____, I may receive information of a
(print name of committee)

personal, business, financial, medical or otherwise sensitive nature.

I agree to not disclose to anyone outside the bounds of the committee named above, confidential information received, either during or after my term on this committee in accordance with the Ontario Freedom of Information and Protection of Privacy Act, as amended.

I will (endeavor) further agree to maintain all such information in a secure manner and to return it to Siloam on completion of my term as volunteer.

Name (printed)

Signature

Chair/Vice Chair, Official Board

Signature

Date: _____

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12.6 Appendix F: Risk Assessment Matrix

RISK ASSESSMENT MATRIX¹

Risk Level	Low	High
Participant		
	Adult of sound mind and health	All minors, adults with physical, mental or emotional disability i.e. Vulnerable Persons
Setting		
	Public space on or off church premises, e.g. worship space, any room with windows where passersby can see occupants	Home of participants or event leader, meetings with High Risk participant in private setting e.g. tents, cabins, vehicles, rooms without windows, etc.
Activity		
	Bible study, Sunday School with open door or door with windows, institutional visiting e.g. hospitals, long-term care homes, etc.	Vulnerable Persons present at: sleep-overs, Bible study, Sunday School with closed door or door without windows, pastoral visiting at private homes; one-on-one teaching, etc.
Supervision		
	Two or more unrelated supervisors always present, Vulnerable persons in groups of two or more	Little or no supervision, casual observation not possible during sessions i.e.no visual or audible oversight
Relationship		
	Equality / peers of adults or of Vulnerable Persons accompanied by trusted family member or friend	Vulnerable Persons: receiving mentoring, counselling, spiritual advice, etc.

¹ Adapted from *Screening in Faith*, A Volunteer Canada Resource

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12.7 Appendix G: List of Revisions

LIST OF REVISIONS

Final Draft	Sept., 2015
Submitted to Siloam Church council	November. 2015
Approved by Siloam Church Council	November, 2015
Reviewed by the M&P or Risk Management Committee	Sept, 2015
Date for next review:	August, 2020