



COMMUNITY CONDUCT POLICIES

THE WORLD FEDERATION OF KSIMC

Adopted unanimously at the second meeting
of the Executive Council (term 2024 – 2027)
July 2025, Toronto

*[Subject to local jurisdictional considerations, applicable laws
of the land, and the constitutions of constituent Jamaats.]*

The World-Federation of KSIMC Conduct Task Force – establishing safe, secure and sacred spaces for our communities

Guidelines for Our Communities

INTRODUCTION

The world has, and continues to, grapple with appropriate conduct between peoples of different sexes. Our communities are guided by the light of Allah (SWT) through our Prophet (s) and Aïmma (as). Through these luminaries we have developed Fiqh and Akhlaq to govern our conduct. We distinguish between Fiqh (jurisprudence) and Akhlaq (morality/right actions) in this document as such:

Fiqh: What is permissible or not – which may be absent of context

Akhlaq: How should a believer act even if generally allowed in Fiqh

Example: It may be permissible for two baligh individuals to marry as per Fiqh. But if one is in a position of power over the other it is difficult to be clear whether the consent given by the other is free, prior, or informed and whether it is intentionally done. So, in Akhlaq it may be better to not proceed or wait until such a time when the situation is free from power dynamics.

The development of these guidelines is to educate, guide, and protect our communities so that we can all continue to get closer to Allah (SWT) safely and securely. The measure of our community is how we treat our most vulnerable (H.Prophet (s) & Aïmma (as) have been reported to assert:

لَنْ تُقَدَّسَ أُمَّةٌ لَا يُؤَخَذُ لِلضَّعِيفِ فِيهَا حَقُّهُ مِنَ الْقَوِيِّ غَيْرَ مُتَعَتِّعٍ

[بحار الأنوار : 1/258/77]

No community can become pure (from evil) unless the weak can take his rights from the powerful without fear.

This document primarily considers the impact of power dynamics and their impacts on conduct between sexes. We raise a few maxims to consider:

- Believing victims
- Free, prior, and informed consent
- Nothing about us, without us
- None of us without all of us

POWER DYNAMICS

While within the eyes of Allah (SWT) our rank as elaborated in the Qur'an is determined by piety and Ta'qwa (49:13), by 'ilm & knowledge (58:11), by jihad (struggle in the way of Allah, 4:95-96) & by sacrificing/spending for God's Cause in difficult times (57:10) any interaction between two persons involves power dynamics. Whether it be between children and their elders, leadership to members, men to women, scholars to their congregants, or even tour guides to their Zai'reen. This dynamic is not static. The

dynamic between you in your home city maybe be very different than when visiting a foreign place and with different people around. Or perhaps you were a Madrasah teacher to a student once and now many years have passed, and you are now both adults. Location, society, community, relationship, positionality all influences the dynamic between two individuals.

As the dynamic widens the potential for harm rises. The more consolidated power or control exists in a setting, the more their actions are influenced by power dynamics whether intentionally or unintentionally¹. As we are also fallible individuals, the responsibility of leadership should be shared. For example, while Prophet Yusuf (a) was a Prophet, a man, and held in high esteem. The positionality of Zulaikha in Egypt as a slave owner and of high society allowed her to imprison him on a false allegation. But in Allah's justice eventually the Prophet (a) was cleared of wrongdoing in the eyes of society as well after he appealed to the King for his case of falsely being accused of "criminal misconduct" to be reviewed & he was exonerated by his accusers (Q12:50-51). Unfortunately, we often see the reverse where those in power can silence those they have wronged. Having to work with others shares the burden of responsibility through checks & balances of Amr bil ma'roof (Q9:71), serve as a reminder for us all, and limit the opportunity for people to abuse their trust.

Believing Victims

There is a strong impetus to discredit the experiences of victims by the perpetrator, the organization (see [What will people say?](#)), and even the community (see [Resistance to Addressing Sexual Misconduct](#)) prior to any evidence. The slogan "Believe Woman" or more generally "Believe Victims" should be interpreted as taking such accusations seriously, investigating properly, and taking appropriate steps while under investigation and after a conclusion is reached. The Qur'an allows the victim of abuse to speak to others about the wrong done to them in private Q4:148.

One instance of societal handling of this grievous crime in the United States are rape testing kits. These are kits used to detect evidence of sexual assault. Despite their collection of evidence, there were at least 25,000 kits that remain untested in 2022 alone in just 30 states. Estimates sit between 90,000 – 400,000 untested or unsubmitted kits (ref: [USAFacts](#), [Journal of Interpersonal Violence](#)). This slogan does not ask for unquestioning belief, but basic consideration entitled to all of Allah's (SWT) creation.

Further we have seen prominent figures within the folds of Islam that have utilized their position and image to engage in terrible misconduct. The damage to the survivors, our community, and their spirituality cannot be measured. It behooves us to investigate properly for sake of everyone to either dispel the doubt or bring to account the wrong.

Free, Prior, and Informed Consent

The phrase 'free, prior, and informed consent' is championed by Indigenous peoples to clarify what is necessary for proper consent. In colonial enterprises, Indigenous peoples were often coerced or uninformed about their agreements with European nations when they were not just taken. And many had repercussions that arose later that they would have changed their decisions. A "yes" under duress, stress, or other discomfort is not consent.

Similarly, the Islamic rules around Nikah are structured in the same way. Entering into a marriage must be done freely, with proper understanding of the nature of the commitment, and known in a timely manner. This means not hiding critical information that any reasonable party would object to not knowing beforehand².

¹ Hence Nabi Sulayman (a) once he gets extraordinary powers professes it's a test from God to see if he would use it righteously or abuse it, Q27:40)

² Ref: Islamic Laws #2402

Nothing About Us, Without Us

Advocates for people with disabilities popularized this phrase to highlight the importance of including the people affected by policies in developing those policies. For example, creating a ramp for wheelchair users with such an incline that a person would not be able to go up without considerable support. While rational reasoning and theoretical knowledge are valuable tools, they can be incomplete in fully considering the consequences of our actions. The inclusion of people who are most affected by decisions is critical in building good policies by hearing directly their perspectives. We see that Prophet Muhammad (saw), despite his knowledge and infallibility, still modelled the etiquette of a leader by consulting with the Muslims about his plans before acting

An important aside is the positionality of women with comments like “Imagine if that was your sister”, “That’s someone’s daughter”. While we may mean well, it bears further consideration. While alluding to relationships can be a powerful way to center people’s perceptions it also sets them up to only be thought of as secondary characters. The rights of women exist regardless of their relationship to men. Consider also emphasizing that even if a woman has no relationship to you or anyone, they are a creation of Allah (SWT) & in some ways can be better than men(q3:36). This document and accompanying task force was predominantly men despite efforts to include more women. One reason can be the stigma, distrust, or fear of reprisal. The composition of this document however was informed by several sisters who chose to remain anonymous.

None of Us Without All of Us

Qur’an, Surah Al-Maida (verse 32), says: saving one life is like saving all of humanity. And indeed, what is our humanity if we do not value the lives and dignity of people. ‘None of us without all of us’ was popularized in the disability community to emphasize that we should make sure our public spaces are available for the whole community, not just for some. For the context of this document, we are endeavouring to make sure our Centres, camps, Ziyarat groups, tournaments, retreats, etc. are places and experiences that our women can also benefit from, when appropriate, as opposed to restricting women’s access to public spaces due to bad actors. While women must exercise personal caution, leadership should focus on education, discouraging improper behaviour, and ensuring safe spaces when needed. Indeed, the Hijab (as updated by WF-IE with recent guidelines from the Marja’) is a means of women to participate in society with some safety, modesty & dignity.

RESISTANCE TO ADDRESSING SEXUAL MISCONDUCT

That Can’t Be True – Just world, attribution error, invulnerability theory

Human nature is to search for a reason. When issues of such distasteful action come to light it is shocking and appalling and people try to comprehend evil.

Some may wonder at Allah (SWT)’s justice and conclude that this could only be in accordance with Allah’s justice if the victim deserved it. This is inaccurate. The Qur’an condemns pagans who accuse God of allowing evil & injustice (Q6:148). The greatest of tribulations were upon those nearest to Allah and the final accounting of justice occurs not in this world but the hereafter. But after the appearance of the Awaited Savior wrongs will be avenged as listed in Dua Nudba. If all actions were immediately met with consequence & Divine retribution the function of this world as a test of human action would be lost (Q35:45). In part because as humans when faced with injustice we should collectively act to correct and hold accountable those who act unjustly Thus, when a person or a people are wronged they have the right to seek justice if circumstances allow (Q42:39) & believers should firmly uphold justice (Q4:135).

Others may feel vulnerable and scared by these events. By focusing on what the victim did or did not do helps them feel that they have greater control and will be able to avoid the same situations. For example, people may say that victims were not wearing hijab or not wearing sufficient hijab, going outside or to specific places, or asking for it in some manner. While there are actions that may increase your risk, ultimately sexual misconduct is an action taken by a sentient person against another, hence the sex offender has been condemned in the Qur'an (Q25:68). We also tend to attribute our own circumstances to the things outside of our control and accuse others to things within their control, hence the Qur'an discourages accusing others of sexual wrongdoing without having the necessary evidence (Q24:12-13). Individuals have and will make their own personal risk assessments. Our duty is to provide as safe an environment as possible, not telling people to reduce their dignified participation in society.

What Will People Say? – Reputational harm, repentance, and trust

When issues of sexual misconduct come up there are 4 parties we can discuss: The victim/accuser, the accused/offender, the community, and the wider world.

Communities are often very mindful of the reputational harm these incidents may have on their community or the wider world. This reputational harm may reduce trust in the community and or the wider world and give avenues of critique to communities that are already vulnerable. However, there is significant more reputational harm in minimizing and not addressing issues. We have seen this play out in other religious communities that are now known as unsafe and now prominently associated with misconduct and mocked. We do not want our faith and AImma (as) sanctity similarly tarnished by our lack of correct action. On the contrary, we should strive to portray the noble virtues of the Imams(as) to do them proud.

Leadership in the community must also balance the rights of the accused and accuser. The burden of proof is quite high to legally or Islamically “prove” someone’s guilt while the shadow of allegations is quite easily applied. This poses significant challenges to have actual perpetrators face official consequences while allegations may follow those who are not at fault. For this reason, care should be taken by those in positions of power & if not legally proven then extra precaution be advised to vulnerable community members on how to safeguard themselves from potential traps and Allah (SWT) knows what are in our hearts. It is important to stress that serious allegations are known to be rarely false.

Commonly in situations of misconduct this wronged person may experience strong resistance for even reporting misconduct (see: [Resistance to Addressing Sexual Misconduct](#)). The perpetrator, their network, or even the organization may see them as a threat to their lives or reputation by association rather than the perpetrator. So those reporting misconduct know they report at much personal cost to themselves. As an upstanding Muslim organization, it is our duty to limit or prevent further harm to the victim. And most generally to limit further harm to others. Serious misconduct is also often preceded by and proceeded by misconduct not an isolated incident. And indeed, if negligence causes further harm, the moral responsibility rests on us and we answer ultimately to Allah (SWT). So the Qur'an advocates preventive steps to be taken at preliminary stages before the offender escalates to the sinful act (Q17:32, don't even get near zina; Q24:21 don't follow the gradual progressive steps of Satan who will finally bid you to commit grossly indecent evil acts)

Boys Will Be Boys – Tacit acceptance and support

In most cases conversations of misconduct will involve a rational, sane person despite their terrible behaviour. This person is responsible for being in control of his faculties and his misconduct is a failing of him and not something uncontrollable. (in fact, the Qur'an warns such offenders of multiplied retribution because their misconduct can hurt others & even negatively influence some others to commit evil Q25:69)

It is imperative that we raise our community with the understanding that “boys will be boys” because we excuse their behaviour as something innate and outside of their control. Rather the Qur’an praises real believers as those who restrain their unregulated sexual impulses to comply with God’s Laws (Q23:5-6-7) Irrespective of the clothes worn, make up done, words spoken, location found - misconduct is solely the responsibility of the perpetrator. Saying boys will be boys suggests that this is to be expected from boys and part of their nature. (Man can be impulsive (Q70:19) unless he disciplines himself to be God-mindful (Q70:22))

Diffusion of Responsibility

Another important concept studying in the field of psychology is the ‘diffusion of responsibility’. This phenomenon is that when there are multiple witnesses to an incident the likelihood of someone addressing the situation goes down. This is because the onus of responsibility is diffused between everyone else to such an extent that no one will address the situation or some may misinterpret others’ lack of action as a sign that intervention isn’t necessary or that they should defer to higher authority in a hierarchical organisation. One famous situation was the case of Kitty Genovese that was violently attacked near a population apartment complex despite numerous people watching from their windows. This effect is also seen with medical incidents and calling for paramedics. This phenomenon however is countered by raising awareness that inaction has negative effects (Q7:165), that it is everyone’s responsibility individually, irrespective of others inaction or despite their discouragement (Q7:164), to enjoin people to good and admonish them from wrong - A fundamental duty in our Furu’ deen (*Amir bin ma’rouf wa nahi anil munkar*). This is compounded by the other factors when an issue of sexual misconduct comes up, eg victim may fear being stigmatised, or may suffer a sense of guilt that they may have brought it upon themselves, or may fear reprisal from the abuser especially if person is powerful, or may have no confidence in the justice of the system, or may lack the mental strength to take up the stance, etc..

RECOMMENDATIONS

1. Code of Conduct and Engagement

Define what conduct is inappropriate generally and what may also become inappropriate because of power dynamics. What constitutes sexual harassment, coercion, assault, inappropriate comments. Any physical or verbal behaviours. The lack of specific behaviours does not excuse substantial breaches in behaviour.

- a. Amending existing and adding to new contracts - terms on sexual misconduct and abuse of power dynamics
- b. All resident aalims, leadership, and those engaging with the community should have adequate training. For example, resident aalims should have established credentials, reference checks to the reporting team, or have training commensurate to their scope and impact.
- c. Jamaats should have at least two women in leadership settings to provide the insight of lived experiences and aid in appropriate design.

2. Federation Reporting Systems

- a. People:

The World Federation should create a safe reporting mechanism or even facilitating anonymous reporting and accessible hotlines under an independent council responsible for managing issues of sexual misconduct. Each Federation should have at least two members, one who is a woman (important from fiqhi perspective as a female victim would be more comfortable to open up). These confidential reporters should serve an internal and external function.

Internally to their Federation: Internally these representatives should help manage raising awareness providing education for their regions in conjunction with a non-Executive Committee/Aalim representative from each member Jamaat. Resident Alim or Alima can be trained in trauma response to help them offer guidance to the victims that is supportive and grounded in our faith's true teachings on justice, resilience and compassion. Also, should an interaction need considering, the representative can work with both parties to consider if the conduct is proper while the power dynamic still exists

Externally to their Federation: Each Federation should have two reporters outside of their Federation. These can serve as more impartial collectors of information. They should declare any conflict if close familial or personal relations exist that might impact their impartiality.³

b. Collection:

Each Federation's reports should be collected and made available to representatives to assess and initiate investigations should they feel a significant threat to the safety or trust of the congregation. Notes of concern should be collated centrally as well and made accessible if considering an Aalim or Executive Committee member. A system of submitting names and seeing if it gets pinged and then speaking with the Federation rep. Information must be shared between Federations. Other faith communities have struggled to combat abuse due to a policy of moving problematic figures to other regions or communities. We must confidentially share information between communities to ensure we protect our full global community.

Critically we must also ensure there is no retaliation to reporters. People who report and Reporting representatives may be targeted for reaching out about misconduct. There should also be no statute of limitations on reporting concerns. Issues prior to this taskforce may also arise and should be considered and help determine the scope of misconduct. It is likely for every case reported, many go unreported.

c. Visibility:

Centre's should display material prominently for a confidential and safe reporting system. Special or larger events with extended interaction with people in positions of power need to include similar material alongside a note on the importance of respecting the resource. As well as mental health/counselling support inside and outside the community as it helps victims manage feelings of shame, fear, and trauma. Trauma-informed therapy can empower victims to come forward and begin the healing process.

3. Response Framework

When an issue of such magnitude arises, the community will need significant support. Trust between the congregants and those in leadership will be lost, blame, and worry will abound. The local Federation and World Federation should have a response protocol to assist Jamaats through these difficult times, investigate the reports, and navigate the complex legal situation.

- a. Independent assessment of situation by a non jamaat member misconduct representative
- b. Careful but prompt response to protect the community
- c. Clear and fair communication to the community
- d. Should credible allegation(s) exist the WF should refrain from sponsoring, promoting, or otherwise engaging with the persons involved and any enterprises they conduct.
- e. Protection for whistleblowers
- f. Community members should also be advised of their collective responsibility of Nahy 'anil munkar eg to ostracise the accused if proven guilty

³ Q4:135 "stand firmly for justice, as witnesses to Allah, even if it is against yourselves, or your parents, or your kin"

4. Internal Events

Potential complications: complex relationships (this is so and so's relative)

Potential strengths: Personal support, Reporting systems (internal or external)

- a. Privacy and confidentiality must be maintained and the services of a resident Aalim to provide spiritual and personal counselling. However, private sessions should be conducted with some visibility.
- b. Routine messaging about support resources

5. External Events

Potential complications: Unfamiliar environment, laws

Potential strengths: Heightened awareness

- a. All external events should have a non-organizer (and no direct relatives to organize) provide material and resources to report concerns to attendees
- b. All organizers must receive a mandatory education on unacceptable behaviour and consequences of misconduct
- c. Where possible a recent criminal record check with vulnerable youth should be ascertained for all organizers and those in leadership/mentorship capacities
- d. Women's spaces should not be secondary considerations. Spaces should not be unduly far away and removed. Location of women's spaces should not be unduly far away. While at first thought keeping men and women as far apart as possible minimizes interactions. This may isolate women and put them in unsafe positions. Women's washrooms for example should be in well-lit areas that are not too far away should aid be needed.

6. Guidelines for Individuals

To remember that we are all fallible (Q12:53). And that not all that glitters is gold. People in positions of power are perhaps more tempted by shaitan. Everyone should be wary and do a personal risk assessment regardless of where they are and with whom. And consider if given the power dynamics this is appropriate.

Education

- a. Sexual Misconduct Representative Training
- b. Executive Committee and Aalim Training on power dynamics and Sexual Misconduct
- c. Aalim training for counselling regardless of if serving officially as a counsellor in the community. This can be a long term program but in the meantime the Aalim might consider partnering with mental health professionals to create appropriate faith-compliant counselling programs, & on handling reports of abuse sensitively so victims feel supported and heard. Basically, training on trauma-informed care can empower them to guide victims toward healing and justice.
- d. General public training on power dynamics. Delivered through lecture events, Friday sermons, majlises, posters, and websites for resources.

REFERENCES

The Canadian Resource Centre for Victims of Crime:

https://crcvc.ca/docs/victim_blaming.pdf

USAFacts:

<https://usafacts.org/articles/how-many-rape-kits-are-awaiting-testing-in-the-us-see-the-data-by-state/#:~:text=in%20the%20US%3F-,See%20the%20data%20by%20state.,total%20backlog%20number%20is%20unknown.>

Journal of Interpersonal Violence (Canada)

<https://www.ncbi.nlm.nih.gov/pmc/articles/PMC9136376/>

UNOHCHR:

<https://www.ohchr.org/sites/default/files/Documents/Issues/IPeoples/FreePriorandInformedConsent.pdf>

To read:

<https://giwps.georgetown.edu/wp-content/uploads/2022/08/Mahram-Womens-Mobility-in-Islam.pdf>

APPENDIX 1

INTRODUCTION

Child abuse is a significant societal concern which requires immediate and ongoing attention. Children have the right to a safe and nurturing environment. The school system must play a major role in ensuring that children are safe and stay free of harm. The ISIJ volunteers are in a unique position to be aware of indicators of possible physical, emotional and sexual abuse, and neglect. A teacher, principal or any other staff member may be the solace in an abused child's world. Early identification of child abuse and neglect is the starting point to ensure that children remain safe. As educators we have the added responsibility of nurturing the spirit within our students while in a safe and welcoming learning environment.

The purpose of this handbook is to assist ISIJ volunteer members in responding to the suspicion or disclosure of abuse or neglect from our students. It includes sections of the Child and Family Services Act (1990) and reference is made to the Protocol for Joint Investigations of Child Physical and Sexual Abuse: Guidelines and Procedures Coordinated Response to Child Abuse in The City of Toronto, 4th Edition, (May 2006).

Identifying and reporting child abuse and neglect requires every individual to take appropriate action within our Islamic community. In recognition that this may be difficult, be assured that support and assistance are available.

DEFINITIONS

For the purposes of this policy, the following terms shall be defined as follows:

Child abuse is defined under Section 37(2) of the Child and Family Services Act. A child is in need of protection where,

- 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 protect 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 caused by or resulting from that person's,
 - i. failure to adequately care for, provide for, supervise or protect 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 unable to consent to, the treatment;
- f. the child has suffered emotional harm, demonstrated by serious, 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;

1) the child has suffered emotional harm of the kind described in sub-clause (i), (ii), (iii), (iv) or (v) of paragraph (f) 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; i) anxiety, ii) depression, iii) withdrawal, iv) self-destructive or aggressive behaviour, or v) delayed development,

g. there is a risk that the child is likely to suffer emotional harm of the kind described in sub-clause (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;

1) there is a risk that the child is likely to suffer emotional harm of the kind described in sub-clause (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;

h) 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 refuses or is unavailable or unable to consent to, treatment to remedy or alleviate the condition;

i) the child has been abandoned, the child's parent has died or is unavailable to exercise his or her custodial rights 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;

j) 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; or

k) the child is less than 12 years old and has on more than one occasion injured another person or caused 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.

Child abuse is any form of physical harm, emotional deprivation, neglect or sexual mistreatment which can result in injury or psychological damage to a child. Behavioural or physical indicators are often helpful in offering clues that a child may have been abused. In addition, a child's disclosure or concerns expressed by other parties may be reason to report to a children's aid society.

CHILDREN WITH SPECIAL NEEDS

All children may be at risk of abuse and neglect, regardless of race, socio-economic status or cultural/religious affiliation. Many people think that children with special needs do not experience violence or abuse. However without adequate family support, research indicates that children with disabilities are more likely to be victims of neglect, more likely to be physically abused and more likely to experience emotional abuse than children without disabilities. (Sullivan and Knutson, 2000) Children with special needs may be at increased risk of abuse because:

- Children with special needs are often dependent on multiple caregivers and are much more likely to live outside their natural families.

- Some children may be unable to tell due to a communication difficulty, or may be afraid to tell for fear of not being believed; being separated from loved ones; or losing needed services.
- Children with certain disabilities may be more likely to have unequal power in relationships.
- Children whose mobility is impaired may be unable to escape.
- Children with specific disabilities are more dependant on their caregivers, which may include extensive care for washing, toileting and dressing, and may not recognize a situation as inappropriate or abusive.
- Forms of restraint are sometimes used with children who have special needs. Restraining a child who is deemed to be a risk to himself/herself and/or others may be considered necessary to protect the child or others in close contact with him/her. The risk of hurting a child increases where there is: a lack of consistent reasons for restraining a child; an unclear definition of “harm to oneself or others”, and caregivers who lack training to safely restrain children. Restraint may also serve to escalate a situation and therefore increase the risk of injury.

When suspected abuse cases involve children with communication difficulties including non- English speaking children, children with developmental delays, language needs, hearing impairments, or children under the age of 5, it is important to access specialized assistance, support and consultation with specialists in the school/community. These resource persons may also be required to assist in the interview in order to facilitate accurate communication.

TYPES OF ABUSE

1. PHYSICAL ABUSE

Physical abuse occurs when the person(s) responsible for the child’s care, inflicts or allows to be inflicted any injury upon the child.

Physical Indicators

Some indicators may be:

- marks, welts, bruises, scratches, punctures, cuts or fractured bones which are unexplained or inconsistent with the explanation offered
- marks or bruises on those parts of the body not generally injured in the normal course of play
- loss of hair or a bald spot where the child has been grabbed by the hair and pulled
- presence of several injuries, bruises, or broken bones that are in various stages of healing
- injuries that appear to be caused by an instrument used with force e.g. hand marks, buckle marks, adult size bite marks
- burn marks (e.g. from cigarettes, iron, stove element, hair curlers) or inflamed tissue on parts of the body such as the hands, feet, buttocks, which suggest scalding and which are inconsistent with the explanation offered.

Behavioural Indicators

Some indicators may be that the child:

- cannot recall how injuries occurred or offers an inconsistent explanation
- may cringe or flinch when touched unexpectedly
- may display a vacant stare or frozen watchfulness
- may be extremely aggressive or withdrawn
- may display indiscriminate affection-seeking behaviour
- may be extremely compliant and/or eager to please.

2. EMOTIONAL ABUSE

Emotional abuse or psychological maltreatment occurs when the person(s) responsible for the child's care either subjects the child to or permits the child to be subjected to chronic and persistent ridiculing, rejecting, isolating, terrorizing, ignoring or corrupting behaviour. This would also include not responding to the child's emotional needs. Examples of emotional abuse include, but are not limited to the following:

- chronically ridiculed, degraded, criticized, or humiliated (making cruel remarks such as “you're no good” or “I wish you'd never been born”)
- habitually ignored or rejected in preference for other children subjected to frightening punishment such as being locked in a closet
- enticed, bribed or forced into criminal or self-destructive behaviour (e.g. drugs, alcohol)
- scapegoated (consistently blaming a child for that which has gone wrong)
- witnessing violence in the family home between parents and/or other family members.

Behavioural Indicators

Educators should watch for behavioural signs which may indicate that the child or adolescent is being, or may have been victimized.

These signs may include:

- an extreme lack of confidence
- severe depression
- a non-medical failure to thrive
- extreme passivity or aggressiveness
- excessive need for attention
- inappropriate adult behaviour, or, conversely, infantile behaviour
- criminal or anti-social behaviour.

3. NEGLECT

Neglect occurs when the person(s) responsible for the child's care jeopardizes that care or well-being through deprivation of necessities such as:

- supervision appropriate for the child's age, mental/psychological or physical ability
- adequate and nourishing food
- healthy and clean living environment
- medical, psychological and educational necessities.

Behavioural and Physical Indicators

Some indicators of neglect may be:

- lag in physical development, significant weight loss, and/or dehydration
- persistent hunger, appears undernourished
- poor hygiene, dirtiness, lice, and skin disorders non-medical in origin
- persistent fatigue and listlessness

- unattended sores, cuts, and other medical problems
- unattended dental problems
- inadequate, poorly maintained, inappropriate clothing
- begging or stealing food
- reporting no one at home to care for him/her.

4. SEXUAL ABUSE

Child sexual abuse refers to the use of a child by an adult for sexual purposes. It includes acts of exposure; sexual touching; oral, anal or vaginal penetration; and the exposing of a child to, or involving a child in pornography or prostitution.

Any form of direct or indirect sexual contact between a child and an adult is abusive since it is motivated purely by adult needs and involves a child who by virtue of his or her age and position in life is unable to give consent.

Some physical indicators may be:

- recurring physical ailments with no apparent somatic base (e.g. frequent stomach aches, persistent sore throats, vomiting)
- recurrent urinary tract infections without an organic cause
- non-specific infections in the genital or anal area
- trauma to breasts, buttocks, lower abdomen, thighs, genital or anal area
- sexually transmitted disease
- pregnancy

Sexually Inappropriate Behaviour

Sexually inappropriate behaviour in children may be understood to be the result of sexual assault, not the cause of it. Many victims have been socialized or conditioned to behave in a sexualized manner by their abuser's rewarding and reinforcing this behaviour. Some examples of sexually inappropriate behaviours are:

- unusual sexual knowledge
- persistent and inappropriate sexual play for the child's age and developmental level, (including sexual play with toys)
- sexualized expressions of affection
- excessive masturbation/self-stimulation
- simulated sexual acts with siblings or friends or sexual attention to pets or animals
- precocious or flirtatious behaviour
- sexualized kissing in relationships with parents and friends
- sexual preoccupations
- compulsive sexual behaviour (e.g. grabbing breasts or genitals or compulsively removing clothes)
- confusion about sexual norms.

Sexually Intrusive Behaviour

It is often difficult to determine whether sexual activity between children is "normal" explorative behaviour or is abusive. Certain considerations, other than age, must be taken into account to determine whether a sexual interaction between children is in fact abusive. The following characteristics are often associated with sexually intrusive behaviours among children:

- the presence of coercion, intimidation, threat or force
- occurs between children of significantly different ages or developmental abilities
- is associated with emotional distress or anxiety
- interferes with the child’s social or cognitive development
- behaviour which is outside developmental norms (e.g. preoccupation with sexuality)
- occurs at a high frequency
- lack of mutuality and consent
- repeatedly occurs despite redirection from an adult

Other Behavioural Indicators

Many children do not disclose that they were abused, however, some children may “tell” us through behavioural expressions of trauma such as:

- sudden change in feelings about a particular person or place
- unusual fear of a particular person or people; fear of going home or to a particular place; fear of being alone; fear of real or imagined objects; and fears that persist beyond a reasonable time period
- evidence of an unusually secretive “special relationship” with an older person, particularly one involving elements of bribery, trickery, or coercion
- nightmares, night terrors, and sleep disturbances (nightmares are uncommon for children under 3), and chronic “tiredness” (e.g. falling asleep in class)
- self-destructive behaviour such as drug/alcohol abuse, prostitution or indiscriminate sexual activity, self-mutilation, suicide threats/attempts, being “accident prone”, running away
- dramatic behavioural changes (e.g. acting out or disruptive behaviour causing difficulties with other children and affecting school adjustment and play)
- overly compliant or, conversely, overly aggressive and destructive or anti-social behaviour
- compulsive lying and/or confusion regarding personal reality (e.g. dissociation, multiple personalities)
- global distrust of adults or specific distrust of adults of the same sex or resembling the perpetrator
- regressive toilet training problems resulting in the child needing to be retrained
- regression to infantile behaviour (e.g. bedwetting, thumb-sucking, dramatic and persistent crying unrelated to any other event); tantrums or conversely, pseudo-mature behaviour
- clinging or compulsive seeking of affection and attention of both boys and girls
- chronic depression, anxiety, withdrawal, phobic behaviour
- poor peer relationships, self-image, overall physical care.

1.0 I.S.I.J Suspected Child Abuse Reporting Policy

The Child and Family Services Act of Ontario directs our actions in cases of suspected child abuse and neglect and it is essential that all volunteers are familiar with this legislation as outlined in the ‘I.S.I.J Suspected Child Abuse Reporting’ Policy.

One of the primary objectives of the Act is to promote the best interest, protection and well being of children. In accordance with the Act (section 37), a ‘child’ means any person under the age of sixteen years. It states clearly that members of the public

have an obligation to report to the children's aid society whenever they suspect that a child may be in need of protection. It also places a special reporting responsibility on professionals whose work involves children.

A professional who does not report their suspicions is guilty of an offence and upon conviction is liable to a fine. The person that has the suspicions has the responsibility and duty to report and shall not rely on any other person to report on their behalf. Any additional information to suspect that the same child may be suffering or has suffered abuse must further be reported to the children's aid society. No action for making the report shall be instituted against a person who acts in accordance with their duty to report unless the person acts maliciously or without reasonable grounds for the suspicion.

Policy:

It is the policy of the I.S.I.J that volunteers shall comply fully with the Child and Family Services Act and report forthwith any suspicion of child abuse or neglect of pupils of the Board directly to a Children's Aid Society.

For the purposes of this policy, child abuse is any form of physical harm, emotional deprivation, neglect or sexual mistreatment which can result in injury or psychological damage to a child.

Regulations:

- 1.1 The Board shall ensure that volunteers are aware of definitions of child abuse.
- 1.2 All volunteers will be reminded annually of their legal obligations to report suspected cases of child abuse or neglect.
- 1.3 The dignity and privacy of the child will be respected in all circumstances.
- 1.4 Volunteers shall cooperate with the Investigative Team of Children's Aid workers and police.
- 1.5 Appropriate documentation shall be maintained by Volunteers who receive a disclosure and those who report suspected child abuse.
- 1.6 Reporting procedures have been developed for the situation when the alleged abuser is a volunteer. Under no circumstances shall the implicated staff member be contacted regarding allegations or disclosures until specific instructions are received from the Investigative Team.
- 1.7 Upon notice of an allegation of abuse against a volunteer, the principal/incharge shall remove the volunteer from direct unsupervised contact with students.
- 1.8 A manual detailing guidelines and procedures to be followed for the identification and reporting of suspected child abuse and neglect has been developed under the auspices of the Executive Committee and shall be available to all volunteers.

2.0 Reporting Procedures to be Followed in Disclosures or Suspicions of Child Abuse/Neglect

2.1 DISCLOSURES/SUSPICIONS

In Ontario under the Child and Family Services Act, every person, who has reasonable grounds to suspect a child is in need of protection, is obliged to forthwith report the suspicion and the information upon which it is based to a children's aid society. The responsibility to report lies with the person who suspects child abuse or neglect.

2.2 QUESTIONING OF THE STUDENT

School personnel should not conduct an investigation regarding the suspicion or the disclosure and should question the student only to clarify the nature of the complaint.

Do not promise the student that you will keep this information "a secret".

2.3 CONSULTATION

If unsure or in doubt about the suspicions, consult the school social worker (if contact can be made immediately) or the intake screener of the children's aid society.

2.4 INFORM THE PRINCIPAL/DESIGNATE

Report to the principal any suspicions or disclosure without the presence of the student involved.

Since reporting to the children's aid society is of utmost priority, the principal/designate will facilitate the process by arranging for class coverage so the staff can report to the children's aid society.

While the duty to report remains with the person who receives the disclosure, he/she may request the principal's presence while making the report to the children's aid society.

2.5 INFORM THE CHILDREN'S AID SOCIETY

2.5.1 All suspicions and disclosures of child abuse/neglect in which there are reasonable grounds must be reported forthwith to the appropriate children's aid society.

2.5.2 The phone call is made to the intake screener at the appropriate children's aid society – See Appendix 1 for the telephone numbers of the children's aid societies in Toronto.

2.5.3 The following information, if available, should be provided to the children's aid society:

2.5.3.1 Personal data on the student – See Appendix 2.

2.5.3.2 Detailed information pertaining to the disclosure/suspicion – See Appendix 2.

2.5.4 Clarify with the children's aid intake screener about the following:

2.5.4.1 the intake screener's name and contact information

2.5.4.2 if the reported situation is to be investigated

2.5.4.2.1 the timing and location of the interview with the student

2.5.4.2.2 the responsibility of parental contact – when and by whom

2.5.4.2.3 the information that can be shared with the student and his/her parents if the interview is to be delayed.

2.5.5 The person making the report should make detailed notes of the disclosure/suspicion and the report to the children's aid society - See Section 8, Records to Be Maintained and Retained.

2.6 SUPPORT FOR THE STUDENT

Respect the student's rights to privacy by not identifying him or her to other staff or students.

He/she may need the support of the principal, teachers, school social worker and/or other school personnel. Assure the student that the primary consideration for any action taken is for his/her safety and well-being.

2.7 PARENTAL CONTACT REGARDING REPORT TO A CHILDREN'S AID SOCIETY

School personnel will consult with the Investigative Team before informing a parent that suspicion of child abuse has been reported. The investigative team will provide direction as to when it is appropriate for the school personnel to discuss the matter with a parent.

3.0 Procedures to be Followed During an Investigation of Suspected Child Abuse/Neglect on Premises

3.1 Whenever possible, parents or guardians of the child should be contacted by a member of the Investigative Team, or by the school principal as directed by the Investigative Team, prior to an interview with the child.

3.2 If the Investigative Team determines that it is in the child's best interest for the interview to take place without the prior knowledge of the parents, the principal may permit an interview to take place at the school without prior parental consent. The decision is ultimately at the discretion of the principal and is based upon confirmation from the Investigative Team that:

3.2.1 The Investigative Team is investigating a reported case of suspected abuse and/ or related offences, with respect to that child.

3.2.2 The Investigative Team is of the opinion that it would be in the best interest of the child to have the interview take place at the school.

3.2.3 The Investigative Team intends to interview the child without the prior knowledge of, and the absence of the parents, in any event.

3.2.4 The Investigative Team agrees to inform the parents of the interview as soon as is reasonably possible.

3.3 Support for the student during investigation:

3.3.1 It is best to interview a student with only the members of the Investigative Team. The presence of an additional support person should be based on the needs of the child versus those of other adults.

3.3.2 If a child wants to have a support person in the room during the interview, the Investigative Team will decide if this is advisable and in the best interest of the child.

3.3.3 In some situations, a support person may join the Investigative Team for the initial introduction and leave thereafter.

3.4 The Investigative Team, upon completion of the investigation, may decide that in order to safeguard the safety of the child, an apprehension without a warrant has to be carried out. In such cases, the ASIS Apprehension Without a Warrant Form must be completed – See Appendix 4.

3.5 The principal may notify the school social worker so that follow-up support and counseling can be offered to the child and family, if appropriate.

4.0 Procedures to be Followed When the Alleged Abuser is a Volunteer

4.1 The person receiving the disclosure, upon reporting to the principal, will immediately report to the children's aid society any suspicions and disclosure.

4.2 The principal will immediately notify the appropriate supervisory officer.

4.3 Under no circumstances shall the implicated volunteer be contacted regarding allegations or disclosures until specific instructions are received from the Investigative Team. This procedure is designed to secure the safety of the students, to ensure the rights of the victim and the alleged abuser are protected, and to prevent possible destruction of evidence or flight by the alleged abuser.

4.4 After a report has been made to the Investigative Team, the parents/ guardians should not be notified until there has been consultation with the Investigative Team.

4.5 Once a disclosure has been made, the disclosing student will not be questioned by any other staff, nor shall any other enquiries be made until directions are received from the Investigative Team.

4.6 After consultation with the Investigative Team and at an appropriate time, the principal shall inform the volunteer that a report has been made and inform the volunteer of the right to contact his/her union or association for assistance and advice.

4.7 Upon notice of an allegation of abuse against a volunteer, which the Director or his/her designate believes is serious, the Director/designate shall remove the volunteer from direct unsupervised contact with students.

4.8 The principal should consult with the Investigative Team and the school's supervisory officer with regards to communications with the school community:

- 4.8.1 Who should be informed of the matter (e.g. other parents, other children in the school, and other staff members)
- 4.8.2 What specific information should be conveyed
- 4.8.3 How to share the information
- 4.8.4 The timing of the release of information.

4.9 When the alleged abuser is the school principal, the volunteer suspecting the abuse shall report to a children's aid society and notify the appropriate supervisory officer.

5.0 Procedures for Maintaining and Retaining Records

Persons who are involved in receiving a disclosure of suspected child abuse should keep accurate and factual documentation. It should be noted that these notes and records can and might, at some later date, be subject to review by a court during a criminal or civil proceeding. Therefore, documentation should be handwritten and stored in a secure location.

5.1 CONTENT

Documentation should:

- 5.1.1 be factual including dates and times;
- 5.1.2 be brief and to the point; and
- 5.1.3 contain information seen or heard by the staff member
- 5.1.4 include questions that were asked of the student, (refer to Appendix 2 for information that may be included in documentation).

5.2 REPORT OF SUSPECTED CHILD ABUSE FORM

All cases reported to a children's aid society should be reported to the Chief Social Worker, using the Board's internal form, Record of Suspected Child Abuse Form (See Appendix 3). The Chief Social Worker will retain one copy for the purposes of recording confirmation that the report has been made. The Report of Suspected Child Abuse Form should not be maintained in the OSR.

6.0 Procedures for Removal of a Child from the School

By statute, the Board and the Investigative Team have obligations to safeguard children. The balancing of the statutory obligations of these two systems has led to an agreement between them and the creation of guidelines and instructions to be followed when a child must be apprehended from the school with or without a warrant.

The power and duties of a children’s aid society may be exercised with or without a warrant, and slightly different procedures should be followed for each.

6.1 PROCEDURE WITHOUT A WARRANT

6.1.1 The Child and Family Services Act allows a worker who believes that there is a child in need of protection and that there is substantial risk to the child when time does not allow for a warrant to be obtained to apprehend a child without a warrant.

6.1.2 Once satisfied as to the identity of the representative, the principal/designate should request the representative to complete, sign and leave the I.S.I.J form “ Student Apprehended Without A Warrant”. (Appendix 4) The signed form should then be placed into the Ontario Student Record folder for the child.

6.1.3 The principal should then permit the representative to remove the child from the school.

6.1.4 When a student who is a minor has been removed from the school and in accordance with direction from an officer or child protection worker, but by the end of the school day as the child is removed, the principal/designate shall notify the parent/guardian of what has happened.

6.1.5 Where the principal/designate is not able to make contact with the parent/guardian the principal/designate will document all attempts to make contact.

6.2 PROCEDURE WITH A WARRANT, TAKEN UNDER THE CHILD AND FAMILY SERVICES ACT

6.2.1 The Child and Family Services Act allows for a worker to apprehend a child in need of protection with a warrant.

6.2.2 The person authorized by the terms of the warrant, in the vast majority of cases, will be the person who delivers and serves the warrant. The person must have the originally- signed warrant with him/her, must present the original for inspection, and must deliver to the principal/designate a true copy of the warrant.

6.2.3 The principal should be satisfied that such person who attends at the school for the purposes of the warrant is adequately identified as the person named in the warrant.

6.2.4 Once satisfied that the person is who he/she claims to be and upon receipt of the copy of the warrant, the principal should request the person named in the warrant to endorse on the back of the warrant:

“I acknowledge that _____ the principal of _____ has this
 (Name of Principal) (Name of School)

_____ day of _____ 20__ delivered to me custody of the child

named in this warrant” followed by his/her signature. The warrant as endorsed should then be placed in the Ontario student record folder for the child.

6.2.5 The principal should then permit such person to remove the child from the school.

6.2.6 When a student who is a minor has been removed from the school and in accordance with direction from an officer or child protection worker, but by the end of the school day as the child is removed, the principal/designate shall notify the parent/guardian of what has happened.

6.2.7 Where the principal/designate is not able to make contact with the parent/guardian, the principal/designate will document all attempts to make contact.

Conclusions

Reporting suspected abuse and neglect may be difficult. However, not to report denies a child the right of protection and dignity. I.S.I.J is committed to providing each and every student with a safe, nurturing, positive and respectful learning environment. School is the one place outside the family where nearly all children have consistent, ongoing contact. Therefore, we have a key role to play in recognizing possible symptoms of child abuse and neglect. Communication and cooperation between school personnel and the Investigative Team is vital and the roles and responsibilities of all systems must be clearly understood.

APPENDIX 1

Children's Aid Society

CHILDREN'S AID SOCIETIES IN TORONTO:

Children's Aid Society of Toronto
33 Charles St. East
Toronto, Ontario M4Y 1R9
Tel: 416 924-4646

York Region Children's Aid Society
120 East Beaver Creek
Richmond Hill, ON L4B 4V1
(905) 882-5526

Jaffari Support Services
9000 Bathurst St.
Thornhill, Ontario, L4J 8A7
Tel: (905) 762-0422
Mobile: (647) 298-1556
Fax: (905) 762-0556
E-mail: supportservices@jaffari.org

APPENDIX 2

Helpful Information When Calling a Children's Aid Society

The following information, if available, should be provided to and obtained from the children's aid society:

1. General details:
 - Name and position of the person reporting
 - Date and time of report
 - Student's name
 - Student's date of birth
 - Religion
 - Name of parent(s)/guardian(s)
 - Siblings information
 - Home address
 - Telephone number(s)
2. Details about the disclosure or suspicion:
 - What the student said, and to whom
 - When and where the incident(s) occurred
 - Alleged offender
 - Brief description of any physical injuries or marks
 - General affect of the student
3. Questions to ask the intake screener:
 - the intake screener's name and contact information
 - if the reported situation is to be investigated
 - if so,
 - the timing and location of the interview with the student
 - the responsibility of parental contact – when and by whom
 - the information that can be shared with the student and his/her parents if the interview is to be delayed

APPENDIX 3

**FORM TO BE USED WHEN SUSPECTED
CHILD ABUSE CASES ARE REPORTED
TO A CHILDREN'S AID SOCIETY**



80 Sheppard Avenue East
Toronto, Ontario M2N 6E8 (416) 222-8282

RECORD OF SUSPECTED CHILD ABUSE FORM

CHILD'S NAME _____ D.O.B. _____

ADDRESS _____

PHONE _____

SCHOOL _____

1. Nature and extent of injuries: Physical Sexual Emotional Neglect

2. Suspected abuse reported by:

Name _____ Position _____

Date _____ Time _____

Name of CAS reported to Catholic Children's Aid Society of Toronto
 Children's Aid Society of Toronto
 Native Child & Family Service of Toronto
 Jewish Family & Child Service of Greater Toronto

Name of person reported to _____ Position _____

Phone Number _____

**Instruction: Retain one copy. Forward one
copy to the Chief Social Worker**

Not to be included in the OSR

APPENDIX 4

FORM TO BE USED WHEN A STUDENT IS APPREHENDED WITHOUT A WARRANT



80 Sheppard Avenue East
Toronto, Ontario M2N 6E8 • (416) 222-8282

TO _____
Name of School

Address of School

DATED _____

RE _____
Name of Child *Date of Birth*

1. I, _____, am a person authorized under Section 40(7) of the Child and Family Services Act, by the Executive Director of the Society, a local director within the meaning of the Act.
2. I have reasonable and probable grounds to believe that the child above noted is apparently in need of protection within the meaning of the Act.
3. I advise you that I have removed, or do hereby remove such child from your care and/or premises.
4. I acknowledge that _____ the principal/designate of the school
Name of Principal/Designate

noted, has this _____ day of _____ 20__ delivered to me custody of
the child named herein.

Signature of Person so Authorized

Signature of Principal/Designate

APPENDIX 2

Purpose

The Islamic Shia Ithna Asheri Jamaat of Toronto believes in the necessity of providing safeguards for its volunteers and staff against harassment and discrimination. This includes harassment and discrimination on the basis of race, ancestry, place of origin, colour, ethnic origin, citizenship, creed, sex, gender identification, sexual orientation, age, marital status, family status and handicap (disability).

That duty includes a responsibility on the part of all supervisors to strive to create an environment free of harassment and discrimination in their area of responsibility. Included within the ambit of that responsibility is an awareness of what constitutes harassment and discrimination based on human rights grounds, a knowledge of the procedures that are in place for dealing with allegations of harassment and discrimination, and cooperation in the processing of complaints made under this procedure.

It means that supervisors will not condone or ignore activities within their areas of responsibility. It also means that they will ensure that all those for whom they have responsibility are aware that any form of harassment and discrimination based on the grounds enumerated above or analogous grounds, in all its manifestations is prohibited. They will ensure that any complaints will be attended to immediately and effectively.

In the fulfilment of these obligations the ISIJ of Toronto has a procedure in place that is necessary to ensure uniformity and fairness in dealing with complaints, whether they are made by employers, employees or volunteers. The Procedure is designed, in part, not only to prevent harassment and discrimination by educating members of the community as to what constitutes such behaviour. It is also intended to provide a framework which is accessible to complainants in the sense of protecting their anonymity and ensuring that, as far as possible, the initiation and pursuit of a complaint will not be an intimidating experience.

Thus, the emphasis is on informal resolution, using facilitation/negotiation, save where the nature of the matter necessitates a more formal process. It is intended that the existence of this document should help create the kind of environment which nurtures and supports the work of all work force.

1.0 Complaint Procedure

An employee and/or volunteer who believes he or she is harassed or discriminated by a person in a position of authority or by any other employee and/or volunteer should:

1.1 Politely but firmly request whoever is doing the harassing to stop because the complainant feels offended, uncomfortable or intimidated. A confidential, written record of the details and reactions of the person confronted should be maintained by the complainant.

1.2 Go to the Director of Operations if the harassment/discrimination continues. Specific details of the incident should then be stated and a written statement will be taken.

2.0 Investigation Procedure

The Director of Operations shall be responsible for the prompt investigation of a complaint. When lodging a complaint, the employee and/or volunteer must be prepared to provide the Director of Operations with precise and detailed information on the nature of the behavior in question, including witnesses (if any), etc. The name of the complainant or the circumstances related to the complaint should be treated as confidential information and should not be disclosed to any person, except where disclosure is necessary for the purpose of investigating the complaint.

Upon completion of the investigation, the Director of Operations will report to the Board of Directors. The report will include the findings, any conflicts in the evidence and conclusions, together with any recommendation as to the response to the parties and any remedial action to be taken. The Board of Directors shall make a decision as quickly as possible and shall ask the Director of Operations to advise the parties concerned.

3.0 Disciplinary Action

Each case will be different and should be determined individually. Proper analysis and judgment must be exercised. Discipline could range from verbal warning to dismissal, but disciplinary action should only be taken after all of the information has been properly presented and is properly recorded. In the event that disciplinary action is recommended with respect to the resolution of a complaint, such disciplinary action must be approved by the Board of Directors, prior to its issuance.

Details of Person(s) Involved in the Complaint (continued....)

Person 2	
First Name	Last Name
Telephone Number	Work Email
<input type="checkbox"/> Respondent (alleged to have engaged in wrongdoing) <input type="checkbox"/> Witness <input type="checkbox"/> Other: _____	

Person 3	
First Name	Last Name
Telephone Number	Work Email
<input type="checkbox"/> Respondent (alleged to have engaged in wrongdoing) <input type="checkbox"/> Witness <input type="checkbox"/> Other: _____	

Person 4	
First Name	Last Name
Telephone Number	Work Email
<input type="checkbox"/> Respondent (alleged to have engaged in wrongdoing) <input type="checkbox"/> Witness <input type="checkbox"/> Other: _____	

Complaint Details

Include dates, times, and details of specific behaviour and/or words used. Attach additional pages if necessary

Complaint Ground (check all that apply):

<input type="checkbox"/> Age <input type="checkbox"/> Ancestry <input type="checkbox"/> Citizenship <input type="checkbox"/> Colour <input type="checkbox"/> Creed/Religion <input type="checkbox"/> Disability <input type="checkbox"/> Ethnic Origin <input type="checkbox"/> Family Status <input type="checkbox"/> Gender Expression <input type="checkbox"/> Gender Identity <input type="checkbox"/> Marital Status <input type="checkbox"/> Place of Origin <input type="checkbox"/> Race	<input type="checkbox"/> Record of Offence <input type="checkbox"/> Reprisal <input type="checkbox"/> Sex (including Pregnancy & Breastfeeding) <input type="checkbox"/> Sexual Orientation <input type="checkbox"/> Sexual harassment (Sex) <input type="checkbox"/> Sexual harassment (Sexual orientation) <input type="checkbox"/> Sexual harassment (Gender Identity) <input type="checkbox"/> Sexual harassment (Gender Expression) <input type="checkbox"/> Workplace Harassment <input type="checkbox"/> Level of Literacy <input type="checkbox"/> Membership in a Union or Staff Association <input type="checkbox"/> Political Affiliation <input type="checkbox"/> None of the above: _____
Employee (Complainant) Signature	Date (yyyy-mm-dd)

Office Use Only

Complaint Received By	Position in Organization
Date Received	Telephone Number
Email	Signature

All records of the investigation will be kept confidential.

APPENDIX 3

YOUNG PEOPLE & VULNERABLE ADULT SAFEGUARDING POLICY

K.S.I.M.C of Birmingham is committed to providing a safe and secure environment in which young people and vulnerable adults can thrive and develop and where all aspects of their safety, well being and welfare will be protected.

This involves having a clear understanding of individual roles and responsibilities in regard to the care and protection of young people and vulnerable adults.

To this end, our safeguarding policy and the associated procedure is committed towards protecting young people and vulnerable adults from all types of harm and abuse.

This policy and the associated procedure apply to all roles and posts held, whether fulfilled by a volunteer or paid staff member connected to K.S.I.M.C of Birmingham, its Sub-Committees, Task Forces and Subordinate Groups therein. Furthermore, this policy and the associated procedure apply to said individuals irrespective of whether they are members of K.S.I.M.C of Birmingham.

K.S.I.M.C of Birmingham duly recognises policies and procedures laid down by Birmingham City Council. As such, a suitably approved policy and associated procedure approved by these bodies will be deemed sufficient for these purposes.

Aims

- Each member of staff or volunteer will be provided with all the necessary information and training regarding safeguarding, knowledge of the signs of abuse, and what to do should concerns arise regarding possible abuse or neglect.
- To promote awareness that young people and vulnerable adults abuse and neglect exists in society in many forms including physical, emotional, sexual and verbal as well as neglect and domestic violence.
- To ensure all staff and volunteers are aware of their duty of care in relation to the protection of young people and vulnerable adults and act in accordance with the recommended.

Policy Statement

The K.S.I.M.C of Birmingham believes all young people and vulnerable adults have the right to feel safe and their families have the right to expect that their young people and vulnerable adults whilst in attendance at any K.S.I.M.C of Birmingham event or associated event run therein will be protected from all types of abuse.

They will communicate with the young person or vulnerable adult in a way that is appropriate to their age, understanding and preference. The nature of this communication, depending upon the seriousness of the concern, may require advice from the Birmingham City Council and the Police, to ensure the safety of the young person or vulnerable adult and any subsequent investigation is not jeopardised.

Where concerns arise as a result of information given by a young person or vulnerable adult it is important to reassure the individual but not to promise confidentiality.

The President of K.S.I.M.C of Birmingham is the designated contact for young person and vulnerable adult protection liaison and the following are duly appointed as deputy designate contacts:

Chair of Education Board
Principal of Muhammadi Madrassa
Head of ME School of Excellence
Chair of Subcommittees

In the absence of a 'Chair, Principal or Head', as detailed above responsibility will lie with the appointed 'Deputy Chair, Deputy Principal or Deputy Head'.

In the event of any occurrence, the President should be informed immediately.

The concerns for referral of a young person or vulnerable adult, as appropriate to their understanding, to the Birmingham City Council Adults and Communities Access Point (ACAP) requires the prior agreement of parents or carers, unless such a discussion would place the young person or vulnerable adult at risk of significant harm.

- In the case that consent is refused, circumstances may justify the disclosure, taking into account what is being disclosed, for what purposes and to whom;
- In the absence of consent, the law recognises disclosure of confidential information without consent as justified in the interest of the public to prevent harm to others. The amount of confidential information disclosed, and the number of people to whom it is disclosed should be no more than is strictly necessary to meet the public interest in the safeguarding of a young person or vulnerable adult.

If the referral has been made to the ACAP by telephone, a written confirmation should follow within 48 hours and it will be agreed with the recipient of the referral what the young person or vulnerable adult and parents will be told, by whom and when.

In recognising the indicators of abuse and neglect, it is not the responsibility of staff or volunteers to prove that abuse or neglect has occurred or who is responsible, only that there is a reasonable concern or well founded suspicion that abuse or neglect has occurred.

Types of Abuse

Abuse is a term commonly used to refer to different types of maltreatment. The definitions provided in this policy are in accordance with sections 42 to 46 of the Care Act 2014

- **Physical abuse**

Physical abuse may involve hitting, slapping, pushing, misuse of medication, restraint and inappropriate physical sanctions. It may also be caused when a parent/carer feigns the symptoms of, or deliberately causes ill health to a young person or vulnerable adult.

- **Domestic Violence**

This includes psychological, physical, sexual, financial, emotional abuse and also so called 'honour' based violence.

- **Neglect abuse**

This involves neglect by others: ignoring medical, emotional or physical care needs, failure to provide access to appropriate health, care and support or educational services, the withholding of the necessities of life, such as medication, adequate nutrition and heating.

Self Neglect: personal hygiene, health or surroundings and includes behaviour such as hoarding.

- **Emotional abuse**

This involves the persistent emotional ill treatment which is likely to cause serious harm to the individual's emotional development. It may involve verbal threats, taunting and shouting which can lead to loss of confidence and self confidence and self-esteem, making an individual become nervous and withdrawn.

- **Sexual abuse**

This may involve rape, indecent exposure, sexual harassment, inappropriate looking or touching, sexual teasing or innuendo, sexual photography, subjection to pornography or witnessing sexual acts, indecent exposure, sexual assault

- **Psychological abuse**

Aspects include emotional abuse, threats of harm or abandonment, deprivation of contact, humiliation, blaming, controlling, intimidation, coercion, harassment, verbal abuse, cyber bullying, isolation, unreasonable and unjustified withdrawal of services or supportive networks

- **Financial or Material abuse**

This includes theft, fraud, internet scamming, coercion in relation to an adult's financial affairs or arrangements, including in connection with wills, property, inheritance or financial transactions, the misuse or misappropriation of property, possessions or benefits

- **Modern Slavery**

This may include slavery, human trafficking, forced labour and domestic servitude.

Traffickers and slave masters using whatever means they have at their disposal to coerce, deceive and force individuals into a life of abuse, servitude and inhumane treatment

- **Discrimination**

This can be harassment, slurs or similar treatment: because of race, gender and gender identity, age, disability, sexual orientation or religion

- **Organisational abuse**

Including neglect and poor care practice within an institution or specific care setting such as a hospital or care home. It can be through neglect or poor professional practice as a result of the structure, policies, processes and practices within an organisation.

Signs and Behaviour which may give cause for concern

- Over-friendly or extremely very anxious;
- Frequent mood changes;
- Unusual eating patterns, i.e. always hungry;
- Change of appearance;
- Quiet and withdrawn, a loner;
- Seductive behaviour;
- Frequent bruises; particularly on fleshy parts;

The Role of the Executive Committee

- To provide support to the designated persons, staff and volunteers in the implementation of this policy and associated procedure;
- Endorse and encourage participation in safeguarding training;
- Respect the confidentiality of young people, vulnerable adults and families and staff or volunteers in the process of safeguarding.
- To make available, the process for undertaking Disclosure and Barring Service (DBS) checks for all staff and volunteers.

Designated Persons

The designated and deputy designated contacts, as detailed above will be responsible for:

- Updating the Young People and Vulnerable Adult Protection Code of Practice, Policy and Procedures;
- Contribute to the core assessment and the analysis of findings as required and requested by the ACAP, including providing information held about the young person or vulnerable adult or parents/carers;
- Keep careful and detailed contemporary notes. Record any unusual events and make a distinction between events reported by the volunteer or staff member and those who may have actually witnessed the event. Notes should be timed, dated and signed legibly and kept in a safe and secure place so that they are not able to be accessed by unauthorised personnel.
- Request the ACAP convene a meeting, if there are serious concerns that the young person or vulnerable adult may not otherwise be adequately safeguarded.
- Once the initial assessment is complete, together with all other relevant agencies, further action can be decided. Involve the young person or vulnerable adult in these discussions, unless this may place them at risk of significant harm again, for example, they may be physically abused for talking about the abuse. If there are concerns about a parent's/carer's ability to protect their young person/vulnerable adult, consider carefully what the parents/carers should be told, when and by whom, taking account of the young person's/vulnerable adult's welfare.

The procedures outlined in this policy are in accordance with these key documents

- The Care Act 2014
- Data Protection Act 2000;
- The Human Rights Act 1998 (Article 8);

This policy provides direction to staff and volunteers of K.S.I.M.C of Birmingham in regard to their roles and responsibilities when responding to concerns about young person and vulnerable adult abuse and neglect.

APPENDIX 4

YOUNG PEOPLE OR VULNERABLE ADULT SAFEGUARDING PROCEDURE

This procedure stresses the need to keep the focus of any action on the safety, well being and welfare of the young person or vulnerable adult as a possible victim of abuse. It is noted that:

- Staff or volunteers should not try and investigate whether or not a young person or vulnerable adult has been abused. This responsibility lies with the Birmingham City Council Adults and Communities Access Point (ACAP) and the Police. All safeguarding concerns will be passed onto the ACAP by one of the designated persons without delay;
- The staff member or volunteer should inform a designated person about their concern and if the suspicion falls on the person to whom they normally report their concerns to, staff and volunteers should be aware of what to do. They need to report to another designate;
- The staff member or volunteer should write down what the young person or vulnerable adult said or the details of any significant marks or behaviour which were observed, noting any names, dates and times. A note should also be made of any witness – did anyone else hear what the young person or vulnerable adult said, see the marks or notice the behaviour? This should be done as soon as possible, while the details are still fresh. The notes must record exactly what the young person or vulnerable adult said, not what the staff member or volunteer thinks was meant. The staff member or volunteer may want to record this as well, but must start with what the young person or vulnerable adult said.

If a young person or vulnerable adult makes a direct allegation

Staff and volunteers must not promise to keep allegations secret when an abusive or exploitive relationship exists.

The staff member or volunteer should let the young person or vulnerable adult speak but should not question him/her. The basic rule is to ask only questions which are necessary to clarify whether the young person or vulnerable adult is alleging that abuse has taken place. If, at any time, it becomes clear that there has been a misunderstanding and that the young person or vulnerable adult is not alleging that abuse has taken place, you should re-assess the situation as it may not be appropriate to follow this procedure.

If the young person or vulnerable adult is clearly alleging abuse, ACAP and/or the Police will interview the young person or vulnerable adult and any further questions must be left for them. This does not mean that one should tell the young person or vulnerable adult to say nothing more until the authorities arrive. The young person or vulnerable adult should be allowed to speak for as long as they want.

If a young person or vulnerable adult's comments seem to suggest abuse

If the young person or vulnerable adult seems to be suggesting abuse, but it is not clear, the staff member or volunteer should:

- Quickly try to create a situation in which the young person or vulnerable adult can talk freely;
- Let the young person or vulnerable adult speak, and ask questions only if they are necessary to clarify whether or not the person is trying to say that they have been abused;
- Listen carefully, remembering that a young person or vulnerable adult may not have the vocabulary at that time to explain clearly what it is that distressed them; and
- If it is clear that the young person or vulnerable adult is alleging abuse avoid asking any further questions.

If a young person or vulnerable adult makes a serious allegation about an adult or about an older person, additional enquiries should be made. The young person or vulnerable adult should always be taken seriously, but this does not mean accepting everything that the young person or vulnerable adult says as a fact.

If, as a result of what the young person or vulnerable adult has said, you become suspicious about a particular person, they should not be questioned by the staff or volunteer.

If a bruise or mark, or the person’s behaviour, causes suspicions

There are a number of things which may raise questions; a young person or vulnerable adult may have bruises or other marks, or their behaviour is unusual. These observations could have several different explanations and staff or volunteers may be unsure whether they should be concerned or not, however they should document and report any concerns they have about a young person or vulnerable adult.

If a staff member or a volunteer is concerned, they should try to be clear in their own mind exactly what it is that is disturbing them.

It may be appropriate to ask the young person or vulnerable adult or the parent/carer about a mark or about unusual behaviour. Suspicion may be aroused more by an evasive or unconvincing answer than by the mark or behaviour itself.

If a staff member or a volunteer is concerned, they should note the names of anyone else who saw the mark, behaviour etc. which caused the concern.

Co-operating with Authorities

Young person or vulnerable adult protection enquiries are carried out by the ACAP and the Police, usually acting together. The staff and volunteers of voluntary and independent agencies are expected to co-operate with enquiries and must liaise with a designate or deputy designate as soon as possible.

When there is a concern relating to a person in a position of trust

If an allegation is made about a member of staff or a volunteer, or for any other reason suspicion falls on a member of staff or a volunteer, the K.S.I.M.C of Birmingham will follow

the advice of the ACAP until the enquiries are complete. The designated person shall:

- Immediately take the person aside and inform them that an allegation has been made against them;
- At this point the person will not be informed about the nature of the allegation;
- Remove the said person from any direct contact with young person or vulnerable adult. It may be necessary to suspend the staff member or volunteer from involvement in any contact with young person or vulnerable adult. This action is intended to safeguard the welfare of young person or vulnerable adult and does not assume that the person is guilty. It is also important to recognise the person’s need to support at this time and to help;
- Make the parent or carer of the young person or vulnerable adult aware immediately of the concerns. During this time all care will be taken to ensure confidentiality of all persons concerned;
- Contact the ACAP on 0121 303 1234 or by email to ACAP@birmingham.gov.uk
- Inform Ofsted, if applicable.

When suspicion falls on a staff member or volunteer there are three possible outcomes:

- It may be proved to the K.S.I.M.C of Birmingham’s satisfaction that the person has abused one or more young people or vulnerable adults. In this case the person concerned will be asked to leave immediately and further action under the terms of the Law may be taken by the Police;

- It may be proved to the K.S.I.M.C of Birmingham’s satisfaction that the person is not guilty of abuse, no action will be taken;
- The enquiries may be inconclusive, leaving suspicion, but no proof about the person’s behaviour. In the best interest of the Community, the person concerned would be asked to resign from their position, with immediate effect, and, if applicable, work their notice prior to any contract termination.

Bullying

K.S.M.I.C of Birmingham has procedures and a policy about bullying to protect the welfare and self-esteem of a young person or vulnerable adult. Also incorporated into the daily routine are activities to encourage respect for other students as well as the safety of the young person or vulnerable adult within K.S.I.M.C of Birmingham.

What to do if a young person or vulnerable adult tells you about abuse	
Step 1	Listen attentively as the young person or vulnerable adult tells you;
	Do not prompt the young person or vulnerable adult or family/carer for further details or ask any questions as this is considered contamination of evidence.
Step 2	Document immediately the young person or vulnerable adult’s exact word, the time and place the allegation was made and anyone else that was present. Sign and date.
Step 3	Do not judge , reassure the young person or vulnerable adult they have done the right thing to tell e.g. “I am pleased that you have told me about this”;
	Do not make any promises you cannot keep (particularly about telling others about the information or about what will happen next).
Step 4	Take action as per responding to young person or vulnerable adult abuse and neglect;
	Talk to the designated person immediately , anyone has the right to notify against young person or vulnerable adult abuse and neglect.

APPENDIX 5

YOUNG PERSON OR VULNERABLE ADULT PROTECTION AND SAFEGUARDING CODE OF PRACTICE

1. It is K.S.I.M.C of Birmingham's policy to provide a safe and secure environment in which young people or vulnerable adults can thrive and develop and where all aspects of their safety, well being and welfare will be protected.
2. K.S.I.M.C of Birmingham will minimise the situations in which the abuse of young people or vulnerable adults might occur.
3. Any young people or vulnerable adults using the services of K.S.I.M.C of Birmingham and anyone acting on behalf of such a person, may complain about any aspect of the service they receive. There is a complaints procedure in place and complainants will have a right of appeal, if they are dissatisfied with the way a complaint was handled.
4. Any young people or vulnerable adults may disclose to any staff member or volunteer any abuse they may be suffering elsewhere in their lives and staff and volunteers will be vigilant for the signs of abuse.
5. Any indications that a young people or vulnerable adults may be suffering from abuse will immediately trigger K.S.I.M.C of Birmingham's safeguarding policy and the associated procedure. These procedures are consistent with the Birmingham City Council Adults and Communities Access Point (ACAP).
6. In recruiting staff and volunteers, K.S.I.M.C of Birmingham will follow a systematic selection process designed to assess the applicant's suitability for the post and to work with young people and vulnerable adults.
7. Checks will be made to ensure that all the information provided by any potential member of staff or volunteer is accurate. Staff and volunteers will be DBS checked.
8. All appointments will be subject to a probationary period dependent upon the checks detailed above.
9. All paid staff and volunteers will have clear roles detailed for them as detailed in the policy and accompanying procedure.
10. The supervision of staff and volunteers will be used as a means of ensuring that a young person or vulnerable adult using the services of K.S.I.M.C of Birmingham receive adequate and appropriate protection.
11. Where staff or volunteers occupy high risk posts or are working in high risk settings or situations, K.S.I.M.C of Birmingham will be extra vigilant in its supervisory role.
12. Induction programmes for all new staff and volunteers will include basic information on recognising and responding to young people and vulnerable adults protection issues.
13. K.S.I.M.C of Birmingham will encourage designates, volunteers and staff to undertake further training on young person or vulnerable adults protection issues, and in appropriate circumstances this training will be compulsory. To this end, it will ensure that issues of young person or vulnerable adults protection receive continuous attention and will regularly review the way in which the organisation operates to support this principle.

APPENDIX 6

Safeguarding

Written by Farzana Hirji Karawalli : Updated November 2021

SAFEGUARDING STATEMENT

The Care Act 2014 defines safeguarding as “protecting an adult’s (or child’s) right to live in safety, free from abuse and neglect.” This means the term, safeguarding is to protect vulnerable adults and children from abuse and neglect.

The KSIMC of London makes a positive contribution to a strong and safe community and recognises the right of every individual to stay safe. It acknowledges its duty of care to promote the welfare and safeguard vulnerable adults and children.

The KSIMC of London is committed to ensuring that safeguarding practice reflects statutory responsibilities, government guidance and local Authority processes.

This policy recognises that the welfare of vulnerable adults and children are paramount and seeks to ensure that The KSIMC of London fully undertakes its responsibilities with regard to protection of children and / or vulnerable adults, and responds to concerns appropriately.

It draws on the commitment from Bodies under the Jamath umbrella (BUJUs) within The KSIMC of London to work together to protect vulnerable adults and children.

INTRODUCTION

The KSIMC of London comes into contact with children and / or vulnerable adults through activities which are carried out under the following services under the Jamath umbrella (BUJUs):

- BSL Classes
- Daily Qur’an Classes
- Darul Qur’an: New Classes
- English Listening Centre
- HQC: Hujjat Qur’an Classes
- Hujjat Bookshop
- Hujjat Daily Qur’an Classes (HDQC)
- Hujjat Saturday Workshop
- Inspirational Minds
- Hujjat Tuition Centre
- Ladies Committee
- Seniors of The KSIMC of London
- The Islamic Montessori School
- The Shia Ithna’asheri Madressa (SIM)
- Youth Azadari Drive [YAD]
- (Stanmore Jaffery’s)

- Al Haadi Youth
- Burial Committee

The types of interactions these organisations have with children and / or vulnerable adults are detailed within the accompanying procedure documents.

This policy outlines the roles and responsibilities of the different BUJUs within The KSIMC of London. It takes into account the responsibilities of Local Authorities and aims to be consistent with them.

This policy is steered by the personalization of adults and children through the safeguarding process, by developing a personalised approach in supporting children and vulnerable adults who may be, or are, at risk of abuse and neglect.

It is pertinent that BUJUs /staff / volunteers /members of the community /The executive committee and the Trustees should ensure that all decisions and actions are taken in line with the requirements of this policy.

PREVENTING ABUSE

The KSIMC of London is committed to putting in place safeguards and measures to reduce the likelihood of abuse taking place within the services it offers and that all those involved within The KSIMC of London will be treated with respect. Therefore, this policy needs to be read in conjunction with the following policies:

- Equal Rights and Diversity
- Volunteers
- Complaints
- Whistle Blowing
- Confidentiality
- Disciplinary and Grievance
- Data Protection
- Recruitment and Selection
- Any other policies which are relevant that the organisation has in place (e.g. Challenging Behaviour, Handling Money)

RECOGNISING THE SIGNS AND SYMPTOMS OF ABUSE

The KSIMC of London is committed to ensuring that all staff, the management committee, trustees and volunteers undertake training to gain a basic awareness of signs and symptoms of abuse. The KSIMC of London will ensure that the Designated Named Person and other members of staff, trustees and volunteers have access to training around Safeguarding Adults.

SAFEGUARDING RELATED DEFINITIONS

SAFEGUARDING ACCORDING TO CQC

“**Safeguarding** means protecting people’s health, wellbeing and human rights, and enabling them to live free from harm, abuse and neglect.” The term “**safeguarding**” is outlined as putting in place “arrangements to take all reasonable measures to ensure that risks of harm to children’s welfare are minimized.”

In relation to The KSIMC of London, **Safeguarding** is about embedding practices throughout the organisation to ensure the protection of children and / or vulnerable adults wherever possible. Child and adult protection, on the other hand, is about responding to circumstances that arise.

ABUSE

“**Abuse** is a violation of an individual’s human and civil rights by any other person or persons” (No Secrets: Department of Health, 2000)

Abuse is defined as any action that intentionally harms or injures another person. **Abuse** is also mistreatment by any other person or persons that violates a person’s human and civil rights. The abuse can vary from treating someone with disrespect in a way which significantly affects the person’s quality of life, to causing actual physical suffering. It can take a number of forms, including the following:

- Physical abuse
- Sexual abuse
- Psychological/Emotional abuse
- Neglect Financial (or material) abuse
- Bullying

PHYSICAL ABUSE

Actual or likely physical injury, or failure to prevent physical injury or suffering, and/or domestic violence. Physical abuse can include hitting, slapping, pushing, kicking, shaking, scalding, dragging, pinching and hair-pulling. Rough or inappropriate handling can include careless/rough handling, force-feeding, inappropriate application of physical techniques such as manual handling, restraint or physical intervention, and involuntary isolation or confinement.

SEXUAL ABUSE

Is the direct or indirect involvement in any sexual activity to which an adult does not give or lacks the mental capacity to give consent. Or a child lacks Gillick Competence or does not give consent. A person cannot give valid consent when they lack capacity / or competence to make a decision, or if they are coerced into an activity because the other person is in a position of authority, trust or power.

- *Non-contact abuse*: Indecent exposure, inappropriate looking, photography, harassment, serious teasing or innuendo, pornography
- *Contact Abuse*: Rape or sexual assault, masturbation (of either or both persons), inappropriate touching of breast, genitals, anus, mouth etc.

PSYCHOLOGICAL/ EMOTIONAL ABUSE

Severe adverse effect on the emotional and behavioral development of a child or vulnerable adult caused by persistent or severe emotional ill-treatment or rejection. This could be by the use of threats, humiliation, bullying, other verbal conduct or any other form of mental cruelty that results in mental or physical distress.

- **NEGLECT**: The persistent or severe neglect of a child or vulnerable adult, or the failure to protect a child or vulnerable adult from exposure to any kind of danger, including cold and starvation or extreme failure to carry out important aspects of care, resulting in the significant impairment of health or development, including non-organic failure to thrive. This can include poor personal hygiene or mouth care, malnutrition and / or dehydration and weight loss, severe issues with constipation, hypothermia, inappropriate and / or dirty clothing. Neglect is degrading and undignified, and can endanger life.
- **FINANCIAL ABUSE**: Is the unauthorized and improper use of funds, property or any resources belonging to an individual. Financial abuse can lead to deprivation, humiliation and severe financial hardship.

- **INSTITUTIONAL ABUSE:** Institutional abuse can occur as a result of Organisational or institutional culture, it can also be prevalent as a result of strong imbedded unsafe practices within a community. **This** Can include issues around Rituals and routines that can be detrimental to the wellbeing and safety of a vulnerable adult or child. Lack of stimulation within a residential, care or educational setting, Or Inequality within the Organisation can also contribute to institutional abuse, in addition to Use of restraint, Use of power/control.

- **DISCRIMINATORY ABUSE:** Is the harassment, unfair treatment, exploitation or denial of mainstream opportunities and services to individuals because of their race, religion, culture, gender, age, sexuality or disability. Discrimination can be a motivating factor in other forms of abuse.

- **BULLYING:** is unwanted, aggressive behavior that involves a real or perceived power imbalance. The behavior is repeated, or has the potential to be repeated, over time. Bullying includes actions such as making threats, spreading rumors, attacking someone physically or verbally, and excluding someone from a group on purpose.

EVERY CHILD MATTERS: This is an agenda which aims to ensure that every child attains their full potential. Safeguarding children from harm plays an important part in meeting this goal. Safeguarding is also relevant to meeting any duty of care that the institution may owe towards children (i.e. those aged under 18) with whom it has contact.

DEFINITION OF A CHILD: The United Nations Convention of human rights (Article 1) defines a ‘child’ as “a person below the age of 18, unless the laws of a particular country set the legal age for adulthood younger.”

BEST INTERESTS OF THE CHILD: The United Nations Convention of human rights (Article 3) states, “The best interests of children must be the primary concern in making decisions that may affect them. All adults should do what is best for children. When adults make decisions, they should think about how their decisions will affect children.”

DEFINITION OF VULNERABLE ADULTS: A vulnerable adult is a person aged 18 years or over who may be unable to take care of themselves or protect themselves from harm or from being exploited.

This may include a person who:

- Is elderly and frail
- Has a mental illness including dementia
- Has a physical or sensory disability
- Has a learning disability
- Has a severe physical illness
- Is a substance misuser
- Is homeless

A REPRESENTATIVE of The KSIMC of London is used to describe: employees or workers, whether full or part-time, permanent or on an ad hoc/ self-employed basis (inclusive of but not limited to pre-school, administrative functions, Madressa and all other capacities), volunteers (to include any individual volunteering to partake in activities that come under the center such as Youth, SJ, ELC, Tableegh etc.). This list is not exhaustive, but simply intended to highlight some of the groups that this policy will apply to. Indeed, it applies to all active members of the community that are involved in any volunteer work, managing committees, trustees, holding trustees etc.

REGULATED ACTIVITY IS DEFINED AS: Any activity which involves close and sometimes unsupervised contact with children and or vulnerable adults or groups. This could be teaching within schools, Madrassa, children’s evening and afternoon classes as well as Quran classes and more. It can also be activities such as transport for children or vulnerable adults, Old people’s events and weekly day center. These regulated activates would usually take place within a specific place and au specific times. The activities can also be frequently intensive or take place overnight. These activities should not be undertaken by a person who is on the

Disclosure and Barring Service's Barred list

In child settings: **frequent** means a regular, repetitive activity once a week or more; **intensive** means four or more days in any one 30-day period (e.g. sport camps / trips);

LEGISLATION

The principal pieces of legislation governing this policy are:

- o Rehabilitation of Offenders Act 1974
- o Mental Health Act 1983
- o The Children Act 1989 o NHS and Community Care Act 1990
- o The Police Act – CRB 1997
- o Public Interest Disclosure Act 1998
- o Care Standards Act 2000
- o No Secrets, Department of Health, 2000
- o The Adoption and Children Act 2002:
- o The Children Act 2004
- o Safeguarding Vulnerable Groups Act 2006 o Working together to safeguard Children 2010
- o Working together to safeguard Children statutory guidance 2013
- o The London child protection procedures 2014 o The care act 2014
- o London Multi agency Adult Safeguarding Policy and Procedures 2015

THE CHILDREN'S ACT 2004

This gives a holistic approach to children's services, through inter-professional working to improve a child's wellbeing.

- Sec 1-9: Safeguarding children's (vulnerable young adults) rights and interests.
- Sec 10-11: There is a duty of inter-professional working
- Sec 11: To work in partnership with the child and family in order to exercise normal function.
- Sec 17: Inter-professional working in order to plan services

THE CHILDREN'S ACT 1989

The child's welfare is paramount.

- Sec 17: Looks at children in need. A child in need is unlikely to achieve or maintain a reasonable standard of health and development without services.
- Sec 22: Ascertaining wishes and feelings of the child, parent, person whom is not parent but has parental responsibility. (Local Authority (LA) to consider child's religious and cultural issues.)
- Sec 47: Looks at Child protection. Protecting the child from a significant risk of harm.

EVERY CHILD MATTERS 2003 GREEN PAPER:

This was set out in response to the Lord Laming report to improve and reform child care. It has the following actions and outcomes.

- To support parents and carers
- Early intervention and effective protection through inter agency working.
- Accountability and integration to be improved.

- Being healthy
- Staying safe
- Enjoying and achieving
- Making a positive contribution (behaviour)
- Achieve economic wellbeing.

RESPONDING TO PEOPLE WHO HAVE EXPERIENCED OR ARE EXPERIENCING ABUSE

The KSIMC of London (specifically the safeguarding team) recognises that it has a duty to act on reports, or suspicions of abuse or neglect. It also acknowledges that taking action in cases of adult abuse / child abuse is never easy.

HOW TO RESPOND IF YOU RECEIVE AN ALLEGATION:

- Reassure the person concerned
- Listen to what they are saying
- Record what you have been told/witnessed as soon as possible
- Remain calm and do not show shock or disbelief
- Tell them that the information will be treated seriously
- Don't start to investigate or ask detailed or probing questions
- Don't promise to keep it a secret

IF YOU WITNESS ABUSE OR ABUSE HAS JUST TAKEN PLACE THE PRIORITIES WILL BE:

- To call an ambulance if required
- To call the police if a crime has been committed
- To preserve evidence
- To keep yourself, staff, volunteers and service user's safe
- To inform the Designated safeguarding officer
- To record what happened and to have it stored securely.

All situations of abuse or alleged abuse will be discussed with the Designated safeguarding officer or their deputy. If a member of the management committee, a trustee, staff member or volunteer feels unable to raise this concern with the Designated safeguarding officer or their deputy then concerns can be raised directly with Adult or children's Social Care services. The alleged victim will be told that this will happen. This stage is called the alert.

If it is appropriate and there is consent from the individual, or there is a good reason to override consent, such as risk to others, a referral (alert) will be made to Adult Social / children's social Care team.

If the individual experiencing abuse does not have capacity to consent a referral will be made without that person's consent, in their best interests.

The Designated safeguarding officer may take advice at the above stage from Adult / children's Social services and/or the Safeguarding Adults Unit and/or The child protection team or other advice-giving organisations such as Police.

WHAT TO DO IF YOU SUSPECT THAT ABUSE MAY HAVE OCCURRED OR YOU ARE DEALING WITH A DISCLOSURE

- Make sure the person is safe and the risk of any further abuse prevented.
- Give them information about the steps that will be taken
- Do not attempt to confront the alleged perpetrator (That is a task for the investigators)
- Call the DSO Farzana H Karawalli or the DDSO Shabir Merali. Both are contactable using the SAFEGUARDING confidential voicemail line on 0203 034 0982.
- If we are uncontactable and the issue is serious and of a criminal nature or the person has sustained serious injuries.... call 999 for emergency help if necessary
- Alternatively, you can call the Golden number which is the Harrow council designated child protection enquiries phone line.
- To deal with the disclosure in confidentiality the person / child needs to be taken away from a public area where they can be heard or seen.
- When in a confidential and secure place, record carefully what has happened or been said. (preferably within one hour of the child talking to you), writing down exactly what the child said and when s/he said it, what you said in reply and what was happening immediately beforehand (eg a description of the activity). Record dates and times of these events and when you made the record.
- Ensure all notes, even if subsequently typed are kept securely and shared only with the DSO, DDSO or upon Local authority or police investigations. This information will be bound by data protection laws.
- It is better to get the person / child to record the incident themselves or to draw a picture of what happened if it is appropriate to do so and is not causing undue stress. If the child or vulnerable person is able to then it would be good practice to get the person disclosing to endorse what they have recorded or reported with a signature if appropriate depending on age. Inform them that they will receive feedback as to the result of the concerns they have raised and from who.
- Give the family contact details if appropriate so that they can report any further issues or ask any questions that may arise
- You must ensure the safeguarding champion / representative within your team or the safeguarding designated officer has been notified. (This is to protect yourself)
- There should be the least amount of people involved within any safeguarding concern for reasons of protecting the victim and the investigation.

SAFEGUARDING CONFIDENTIAL VOICEMAIL LINE.

0203 034 0982

HARROW GOLDEN NUMBER

020 8901 2690

020 8424 0999 – OUT OF HOURS.

MANAGING ALLEGATION MADE AGAINST MEMBER OF STAFF OR VOLUNTEER

The KSIMC of London will ensure that any allegations made against members or member of staff will be dealt with swiftly.

Where a member of staff/volunteer is thought to have committed a criminal offence the police will be informed. If a crime has been witnessed the police should be contacted immediately.

The safety of the individual(s) concerned is paramount. A risk assessment must be undertaken immediately to assess the level of risk to all service users posed by the alleged perpetrator. This will include whether it is safe for them to continue in their role or any other role within the service whilst the investigation is undertaken.

The Designated safeguarding officer will liaise with Adult / children's social services to discuss the best course of action and to ensure that the The KSIMC of London's disciplinary procedures are coordinated with any other enquiries taking place as part of the ongoing management of the allegation.

The KSIMC of London has a whistle blowing policy and staff are aware of this policy. Staff will be supported to use this policy.

RECORDING AND MANAGING CONFIDENTIAL INFORMATION

The KSIMC of London is committed to maintaining confidentiality wherever possible and information around Safeguarding Adults/ children's issues should be shared only with those who need to know.

All allegations/concerns should be recorded and handed straight to the designated safeguarding officer. The information should be factual and not based on opinions, record what the person tells you, what you have seen and witnesses if appropriate.

The information that is recorded will be kept secure where only the DSO and DDSO can have access and will comply with data protection.

RESPONSIBILITIES

Ill treatment, neglect and abuse are all part of the same problem and addressing this requires action from anyone involved in looking after those who are vulnerable. This policy highlights the importance of local partners working together, including Councils, Health services and the Police to keep people safe, and outlines the practical opportunities there are to do so.

All staff / volunteers and representatives (paid or unpaid) and members within the KSIMC of London have a responsibility to follow the guidance laid out in this policy and related policies and procedures and to pass on any welfare concerns using the required procedures.

All staff / volunteers and representatives within The KSIMC of London (paid or unpaid) are expected to promote best practice, and to positively involve people in developing safe practices within their BUJUs.

All staff/volunteers who work with children are required to attend training on safeguarding as and when it is organized by the EC or the BUJU with whom they work. In addition, they are encouraged to promote good practice by contributing to discussions about safeguarding.

ADDITIONAL SPECIFIC RESPONSIBILITIES

THE EXECUTIVE COMMITTEE OF THE KSMC OF LONDON

(Inclusive of all trustees and herein referred to as “the EC”) will hold responsibility for all matters relating to Safeguarding. This includes: implementing and promoting this Policy and ensuring that this Policy is monitored and reviewed in accordance with the changes in legislation and guidance. The EC shall achieve these responsibilities and objectives in conjunction with the appointed Safeguarding Panel. The EC will also need to ensure that recommendations made by the appointed Safeguarding Panel are actioned in a timely and appropriate manner and best practice is implemented with regards to all safeguarding matters.

The EC will use its best endeavors to ensure that each of its subcommittee (referred to as BUJUS which are listed above) co-operate with the Safeguarding Panel to ensure that this Policy is upheld and severe financial hardship followed.

The EC will provide the Safeguarding Panel with the name of at least one individual from each BUJU, Sub Committee or associated unit, through whom information and training relating to Safeguarding will be cascaded. This individual will also ensure that concerns and queries relating to this Policy and Safeguarding in general, are communicated to the Safeguarding Panel in a confidential, reasonable and timely manner.

Each of the BUJU’s, /sub committees and associated units will have their individual procedure documents which will accompany this policy.

THE SAFEGUARDING PANEL

The Safeguarding Panel’s primary objective shall be to support the EC and the BUJU’s by managing any Safeguarding concerns in a professional, confidential, sensitive, independent and non-judgmental manor. The Safeguarding Panel will act as an advisory body to the EC for the protection of vulnerable adults and children.

The Safeguarding Panel will be led by the Designated Safeguarding Officer (DSO), and comprise of a Deputy Designated Safeguarding Officer (DDSO), a team of safeguarding champions which comprise of 1 representative from each BUJU, which will form the Action Team.

The EC shall appoint an appropriate person as DSO and the DDSO (Preferably one male and one female to allow choice of whom to speak to when there is a disclosure. and ensure they are provided with suitable training and engage in continued development in line with their role.

The EC will designate responsibility to the DSO and the DDSO to take the lead in fulfilling its responsibilities for child and adult protection, including investigating safeguarding concerns where appropriate and sharing information with other agencies and local authorities where required.

THE CURRENT DESIGNATED SAFEGUARDING OFFICER (DSO)
FARZANA HIRJI KARAWALLI
(SOCIAL WORKER AND LEARNING DISABILITIES NURSE).

THE DEPUTY DESIGNATED SAFEGUARDING OFFICER (DDSO)
DR SHABBIR MERALI, (GENERAL MEDICAL PRACTITIONER).

THE DSO AND OR DDSO'S RESPONSIBILITIES ARE

- To ensure this policy is monitored and reviewed regularly along with the accompanying procedures produced by the individual BUJUs;
- To promote the welfare of children and vulnerable adults.
- To receive concerns from staff and volunteers related to safeguarding and respond swiftly and appropriately.
- To keep up to date with local arrangements for Safeguarding and DBS checks.
- To develop and maintain effective links with relevant agencies. through attendance at strategy meetings, initial case conferences, core groups, CAF meetings where required.
- To liaise with the EC on safeguarding matters, and provide them with recommendations where appropriate.
- To assist the Office Bearers of the EC to refer suspected abuse and neglect to the statutory partners (the local authority)
- To assist the Office Bearers of the EC or directly themselves report allegations made against members of staff to the Local Authority safeguarding team, Golden number, MASH team, Police and/or LADO depending on the nature of the case and level of risk to other members within the KSIMC of London.
- To form an advisory team of experts to assist with supporting the staff, volunteers and members of the KSIMC of London.

THE TRUSTEES AND EC'S RESPONSIBILITIES INCLUDE BUT ARE NOT LIMITED TO:

- To ensure that sufficient resources are allocated to ensure that the policy can be effectively implemented.
- To ensure that this policy is kept up to date, and accessible to all staff, volunteers and members • To ensure that all staff and volunteers are provided with access to this policy upon commencement of their work with the KSIMC of London.
- The EC and safeguarding panel have a responsibility to ensure that they receive adequate safeguarding training at appropriate intervals; as well as all staff / representatives and volunteers. New appointees should be taken through a safeguarding induction process.

THE SAFEGUARDING PANEL'S RESPONSIBILITIES (WITH SUPPORT FROM THE EC) INCLUDE BUT ARE NOT LIMITED TO

- To ensure that each BUJU have maintained training records and DBS clearance certificates which they will need to audit yearly.
- To ensure that there is provision of support and advice to all members of staff and volunteers within the KSIMC of London for adult safeguarding and child protection concerns.
- To ensure safer recruitment practices for paid staff, trustees and volunteers. This may include DBS disclosures for staff and volunteers, ensuring references are taken up and adequate training on Safeguarding Adults is provided for staff and volunteers.
- To ensure that all Staff and volunteers have an up to date DBS whilst undertaking duties within KSIMC of London where such checking is required, and ensure that appropriate records are kept of the same; DBS will require regular updates. The DBS can be generic to all KSIMC of London services as many volunteers have duties in many BUJUs. A Database will need to be devised by all BUJUs to eventually form a 21 single list of DBS data. (There are acceptations where a DBS check may not be required, this is explained within the Vetting and Barring (DBS) policy.)
- Cooperate with any requests for information from the local authority, such as Child Protection training returns and self-evaluative forms for safeguarding and child protection, in compliance with Section 11, Children Act 2004
- Establishing and maintaining contacts with the LADO, MASH teams, Safeguarding teams and Police. (When and where required).
- Maintaining confidential records of reported child abuse cases and action taken.
- The EC will call upon the DSO and the Safeguarding Panel to assist in the delivery of their Safeguarding responsibilities – for example in relation to policy development, the implementation of safeguarding procedures, training, sharing best practice etc.

IMPLEMENTING THE POLICY

- Any incident of alleged misconduct concerning children or vulnerable adults or abuse of these groups will be taken seriously by the KSIMC of London as well as the designated safeguarding officer and vice, and responded to swiftly and appropriately in accordance with this Policy. This may involve a referral to the Local Authority Safeguarding team.
- Where appropriate – breaches of this Policy and allegations of misconduct concerning children and / or abuse of children will result in the KSIMC of London invoking its Disciplinary Policy and Procedures as per the constitution or employment/ contractor agreements.
- The KSIMC of London will refer concerns that a child might be at risk of significant harm to the Local Authority safeguarding team and / or the Police.
- At KSIMC of London, we recognize our legal responsibility to safeguard children and promote their welfare. We will therefore act within the framework set by the Children Act 1989 and The Children Act 2004. We will also follow the Working Together to Safeguard Children 2013 guidance. As our safeguarding procedures, we adopt the Harrow Safeguarding Children Guidance 2013 (the Green Book).
- We also recognize that the Charity Commission place a huge responsibility on the Trustees of the KSIMC of London, to ensure that all beneficiaries are properly safeguarded from harm.
- Effective safeguarding practice starts with having in place effective procedures. Lines of responsibility should be clear, with leadership from the highest level. Representatives from across the KSIMC of London should be involved in implementation and in contributing to a culture in which safeguarding is discussed openly but concerns are managed on a need to know basis with confidentiality through the appropriate referral process outlined in this policy and service procedures. Members of the KSIMC of London with particular responsibilities will need appropriate training and all members need to be aware of the policies and procedures.

RELATED POLICIES AND PROCEDURES

The scope of this Safeguarding Policy is broad ranging and in practice provides an overarching safeguarding approach for all services run at the KSIMC of London premises, all events and functions delivered by the organisation off site, all volunteers and staff working in the organisation and all service users and members accessing services from the organisation. This policy document has brought together two key policy themes to provide a single robust point of reference for the delivery of services, encompassing child protection and the safeguarding of vulnerable adults.

Although this policy is specific to Safeguarding of adults and children, It works hand in hand with other policies such as:

- Whistleblowing –ability to inform on other staff/ practices within the organisation
- Grievance and disciplinary procedures – to address breaches of procedures/ policies
- Health and Safety policy, including lone working procedures, mitigating risk to staff and clients
- Equal Opportunities policy– ensuring safeguarding procedures are in line with this policy, in particular around discriminatory abuse and ensuring that the safeguarding policy and procedures are not discriminatory
- Data protection (how records are stored and access to those records)
- Confidentiality (or limited confidentiality policy) ensuring that service users are aware of your duty to disclose
- Staff induction
- Staff training
- Recruitment
- Use of photography.
- Vetting and Barring,

CONFIDENTIALITY AND INFORMATION SHARING

Privacy and confidentiality are core components of effective safeguarding. However, the matters of safeguarding, the welfare of the child or adult at risk will always come first. Where members, staff or volunteers have a concern about the safety of a child or adult at risk it is legally acceptable and expected that this information will need to be shared with relevant person's. This must be done in a reasonable and correct manner, and in a fashion, that respects the right to privacy for all individuals involved.

- Where possible, and not contrary to the needs of the child or vulnerable adult, families should be aware of any escalation.
- Any information relating to a safeguarding matter should only be shared as and when necessary, to relevant parties within the scope of the issue. Any information that is shared within or from the KSMC of London should be channeled via the DSO.

THE CURRENT DESIGNATED SAFEGUARDING OFFICER (DSO)
FARZANA HIRJI KARAWALLI
(SOCIAL WORKER AND LEARNING DISABILITIES NURSE).

THE DEPUTY DESIGNATED SAFEGUARDING OFFICER (DDSO)
DR SHABBIR MERALI, (GENERAL MEDICAL PRACTITIONER).

SAFEGUARDING CONFIDENTIAL VOICEMAIL LINE.
0203 034 0982
HARROW GOLDEN NUMBER
020 8901 2690
020 8424 0999 - OUT OF HOURS.