

# SAFEGUARDING CHILDREN

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## **The National Spiritual Assembly's Safeguarding Children Policy**

In order to protect young people, and safeguard the good name of the Faith, certain procedures must be followed for people over the age of 18 acting on behalf of the Faith who have substantial access to children at Bahá'í events.

Although this section of the Local Spiritual Assembly Guidance notes covers certain procedures from the National Spiritual Assembly's Safeguarding Children policy, along with extracts from the policy's supplementary materials, it is not possible to cover every question and procedure regarding safeguarding and child protection. If in doubt please contact the Office for Safeguarding Children (OSC) at [osc@bahai.org.uk](mailto:osc@bahai.org.uk).

Local Assemblies are strongly recommended to download the National Spiritual Assembly's Safeguarding Children policy and supplementary materials from UK Bahá'í Resources <https://bahaidata.com> (under Guidance/Safeguarding Children) to facilitate further study and application or contact the OSC. A full list is at the end of the child protection section.

## **How do Bahá'ís resident in Scotland or Northern Ireland obtain a disclosure?**

In Scotland disclosure applications are made to Disclosure Scotland:  
<http://www.disclosurescotland.co.uk/apply/employers/>

For Northern Ireland please contact the Bahá'í Council for information regarding disclosure applications: [bcni@bahai.org.uk](mailto:bcni@bahai.org.uk)

## **What is the definition of safeguarding children?**

Safeguarding Children involves keeping children safe from a wide range of potential harm and involves preventative action. It is not sufficient merely to react to situations that have already happened. Action will include safe staff recruitment procedures, risk assessments, safer caring practices, etc.

## **What is the legal definition of a child?**

A child is defined as '...anyone who has not reached their 18th birthday.' (Children Act 1989, 2004)

## **What is the main focus of the Safeguarding Children Policy?**

The main focus of the policy is to safeguard and protect children and youth under the age of 18 from the risk of sexual, physical or emotional abuse within a Bahá'í community context and to protect those working with under 18's. Safeguarding Children is now considered 'everybody's business'.

Children are the most precious treasure a community can possess, for in them are the promise and guarantee of the future. They bear the seeds of the character of

future society which is largely shaped by what the adults constituting the community do or fail to do with respect to children.

They are a trust no community can neglect with impunity. An all-embracing love of children, the manner of treating them, the quality of the attention shown them, the spirit of adult behaviour toward them – these are all among the vital aspects of the requisite attitude.

*Universal House of Justice, Message to the Bahá'is of the World, Riḍván 2000*

It is difficult to imagine a more reprehensible perversion of human conduct than the sexual abuse of children ... the Bahá'í institutions must be uncompromising and vigilant in their commitment to the protection of the children entrusted to their care, and must not allow either threats or appeals to expediency to divert them from their duty.

*Letter written on behalf of the Universal House of Justice to an individual, 24 January 1993*

Among the signs of moral downfall in the declining social order are the high incidence of violence within the family, the increase in degrading and cruel treatment of spouses and children, and the spread of sexual abuse. It is essential that the members of the [Bahá'í] community ... take the utmost care not to be drawn into acceptance of such practices because of their prevalence. They must ever be mindful of their obligation to exemplify a new way of life distinguished by its respect for the dignity and rights of all people, by its exalted moral tone, and by its freedom from oppression and from all forms of abuse.

*Universal House of Justice, 24 January 1993, to an individual believer quoted in 'Antidotes to Domestic Violence' by Dr Michael Penn, in The Bahá'í World: 2003-2004, p. 148.*

## **In which situations does this policy apply?**

This policy applies to all situations in which an individual is given responsibility by the Bahá'í community to teach, care for, or supervises children and youth under the age of 18. Examples include, but are not limited to:

- Children's classes & camps
- Junior Youth and Youth groups & camps
- Community schools
- Summer schools and other residential events
- Activity weekends
- Training Institute courses
- Study circles
- Cluster Reflection meetings
- Conventions, conferences and national events

If in doubt please contact the Office for Safeguarding Children ([osc@bahai.org.uk](mailto:osc@bahai.org.uk)) for advice and information.

## **What is the National Assembly's Safeguarding Children policy procedure for those working with under 18's?**

The core of the National Assembly's Safeguarding Children policy (updated January 2019) is that persons engaged in any Bahá'í activity in the UK that involves 'substantial access' to a child must have a valid Disclosure and Barring Services (DBS) certificate.

- A person has substantial access when
  - he/she regularly cares for, train, supervise or are in sole charge of a child or children (a person has sole charge when they alone are responsible for that child, even if only for a minute or two);
  - and/or he/she is routinely in a position of authority in relation to that child, for example, as a children’s class teacher or a class assistant, or a junior youth animator, a tutor, a project coordinator, etc.

### **Are there special factors that Local Assemblies have to consider regarding the Disclosure and Barring Services (DBS) certificate?**

Members of Assemblies must obtain a DBS certificate if they are responsible for the running of events, courses and activities for children, youth and vulnerable adults, even if they do not have direct contact with members of those groups as part of their oversight of the activities. The position applied for on the DBS application form will be ‘Child Workforce Children’s Activity Supervisor’.

Local Spiritual Assemblies are encouraged to place such responsibilities, if at all possible, only on the shoulders of those who already are involved directly in work with these groups and therefore have a certificate. If this is not possible, any one given such responsibility needs to obtain a certificate **before** undertaking such a role.

It is the responsibility of the Bahá’í administrative body organising an event to follow these procedures. If they have any queries they should contact the National Office ([nsa@bahai.org.uk](mailto:nsa@bahai.org.uk)). It is also essential that all child-related activities take place under the auspices of a Bahá’í institution or recognised Bahá’í agency, e.g. a Local Spiritual Assembly or a cluster co-ordinator.

### **Is there a minimum age for applying for a DBS certificate?**

The minimum age for applying for a DBS Disclosure certificate is 16 years old and over at the time of application.

All youth aged 16 and over who are actively planning or are already involved in helping to run children’s classes and/or helping with junior youth groups should apply for a DBS certificate.

However, anyone under the age of 18 cannot be left alone in charge of young people. In legal terms, they are still ‘children’ themselves.

Guidance from the *Safeguarding Children: Frequently Asked Questions* makes it clear that:

For these purposes, even with a DBS certificate, someone under the age of 18 does not count as an adult. Therefore, depending on the ages of the people involved, at least one adult over the age of 18 with an Enhanced DBS certificate will need to be present.

Also

It will have to be made clear that such people, in fact all those under 18, are never to be left in sole charge of a class or group as they count towards the number of children present and are not considered, under law, as adults who can be given such responsibility.

Please read pages 9 – 10 *'What is the guidance for youth aged 16 or 17?' regarding DBS checked 16 -17 year olds teaching children and young people.*

### **Should a person be planning to work or currently working with children under the age of 18 before applying for a DBS certificate?**

Yes. By law, a person who is not actually engaged in activities involving minors cannot be required to obtain a DBS certificate.

### **What is the procedure for applying for a DBS certificate application form?**

The full updated guidance for applying for a DBS certificate application form, whether for a renewal or for the first certificate, can be downloaded from the UK Bahá'í Resources website <https://bahaidata.com> (under Guidance/Safeguarding Children) or email the National Assembly's Office for Safeguarding Children at [osc@bahai.org.uk](mailto:osc@bahai.org.uk).

Six weeks should be allowed after the completed and checked form has been posted to the DBS, before expecting the certificate to arrive.

**DBS online tracking service:** An individual can track the progress of their DBS application. The application form reference number and date of birth is required to access the service.

<https://www.gov.uk/disclosure-barring-service-check/tracking-application-getting-certificate>

**DBS customer services:** [customerservices@dbs.gov.uk](mailto:customerservices@dbs.gov.uk)

Telephone: 03000 200 190

**Website:** [www.gov.uk/dbs](http://www.gov.uk/dbs)

The DBS's opening hours are: 8 a.m. to 6 p.m. on weekdays and 10 a.m. to 5 p.m. on Saturdays (closed Sundays and Public Holidays).

### **What is the procedure for subscribing to the online DBS Update Service?**

Anyone who applies for their next criminal record check can choose to subscribe to the online DBS Update Service for £13 per year but it is **free for volunteers**. The Update Service is a DBS scheme that registers a disclosure certificate and ensures it is kept up to date within the same workforce and also allows the certificate to be portable within the same workforce. For the National Assembly's work with children it is Child Workforce and a check against the Children's barred list.

The guidance from the DBS website is:

‘You can subscribe to the [Update Service](#) at the same time as you apply for your next DBS check, using your application reference number. This number is printed on the DBS form or you can ask your employer or the checking organisation for it. Your application form must be received by the DBS within 28 days of subscribing.

If you forgot to subscribe at this time you still have another opportunity when you receive your DBS certificate. To subscribe with your DBS certificate number you must do so within 30 days of the DBS certificate issue date.’

The Office for Safeguarding Children **recommends as standard procedure** subscribing to the online Update Service, following the above procedure.

Anyone who subscribes to the Update Service must inform the OSC immediately at [osc@bahai.org.uk](mailto:osc@bahai.org.uk) so this information can be added to the National Assembly’s Accredited Children’s Tutor list (ACTL). A clear Enhanced Disclosure certificate and personal details on the National Assembly’s ACT list will still be a requirement for working with under 18’s within the Bahá’í community. Subscribers will receive an OSC renewal reminder email every three years. On receipt of the email, and providing they are going to continue working with under 18’s, they must contact the OSC directly at [osc@bahai.org.uk](mailto:osc@bahai.org.uk) as their consent and date of birth, along with the DBS certificate issue date, will be required to check online the current status of their online Disclosure certificate.

If, on receipt of the OSC’s reminder email, a person is no longer involved working in under 18’s activities, they only need to contact the OSC directly when they wish to resume. Their consent will be required to check online the current status of their online Disclosure certificate and the details added to the ACT list, before they can resume under 18’s activities.

Further information on the online Update Service is available on the DBS website: [www.gov.uk/dbs](http://www.gov.uk/dbs)

### **What is the procedure once the DBS application form is received?**

The applicant needs to arrange to meet with one of the National Assembly’s trained document checkers. Please note that it is preferable not to complete the DBS application form before the meeting with the document checker. The DBS is becoming increasingly strict and rejects forms that have been altered ways that make the information unclear and this can hold up the application process.

A list of Document Checkers for applicants is available from the Office for Safeguarding Children at [osc@bahai.org.uk](mailto:osc@bahai.org.uk).

The applicant needs to take supporting documentation with the DBS application form to be checked in his or her presence. A list of acceptable identity documents is available from the Office for Safeguarding Children at [osc@bahai.org.uk](mailto:osc@bahai.org.uk) or from the DBS website: <https://www.gov.uk/government/publications/dbs-identity-checking-guidelines>

## **Now that the DBS no longer send a copy of a person's Disclosure certificate to a countersignatory, what is the procedure to follow?**

Counter-signatories track the progress of an application form on the DBS tracking website to see when an applicant's DBS certificate has been posted to an applicant.

To ensure the National Assembly's Accredited Children's Tutor list is kept up-to-date, so that people with cleared certificates can work with under 18's activities, a counter-signatory will contact the applicant to request sight of their DBS certificate.

## **When a person receives a DBS certificate may they start working with under 18's immediately?**

No, they may not. Even though a person may have received their DBS certificate, they cannot have substantial access to children under 18 until they receive a letter from the Office for Safeguarding Children stating that their name is on the National Assembly's Accredited Children's Tutor (ACT) list. This is a list of people maintained by the National Assembly and who are considered competent to work with children.

Anyone who is not on the ACT list and who is serving in activities that involve substantial access to children should be asked to stop immediately and to wait for his or her inclusion on the list.

To check if someone is on the list, please contact the OSC list administrator (June Gumsley: [june.gumsley@bahai.org.uk](mailto:june.gumsley@bahai.org.uk)).

[Note: The Local Spiritual Assembly can ensure that all those working with under 18's in their community are DBS checked by requesting sight of the confirmation letter issued by the Office for Safeguarding and noting the issue date of the DBS certificate (for expiry date please read the following the question). The letter informs the recipient that '*You may show this letter to whomsoever you are accountable, to indicate that you are eligible for the list.*' and '*If, however, you have an LSA or are in a group would you also kindly show this letter to your LSA or Group secretary as soon as possible.*']

Please note that the list maintained by the National Assembly applies only to Bahá'ís in England and Wales. People authorised to work with children in Scotland and Northern Ireland can be allowed to do so in England and Wales, but their situation should be checked with the relevant Bahá'í Council before finalising arrangements. If in doubt please contact the OSC: [osc@bahai.org.uk](mailto:osc@bahai.org.uk)

## **How often should a DBS certificate be renewed if you have not subscribed to the online Update Service?**

A DBS certificate has no official expiry date. However, the National Spiritual Assembly's policy is that an Enhanced DBS certificate must be renewed every three years and that there will be a grace period of three months, either from the end of the three years since obtaining the certificate or from the date of the reminder letter sent by OSC, whichever is the later.

If a certificate has not been renewed by then, in the absence of extenuating circumstances the person concerned may not continue working with children or young people on behalf of the Faith.

N.B. Subscribers to the online DBS Update Service will also receive a reminder from the OSC every three years. Please see page 5: *'What is the procedure for subscribing to the DBS online Update Service?'*

### **Do non-Bahá'ís need DBS certificates as well?**

The National Assembly's *Safeguarding Children: Frequently Asked Questions* states that:

Yes, they do. They should go through the same procedures as the Bahá'ís when the event is running under the auspices of a Bahá'í agency or institution. Purely private and informal arrangements are different for both Bahá'ís and non-Bahá'ís (see Guardians and Informal/Personal Arrangements in *Safeguarding Children: Frequently Asked Questions*). When we use professional agency staff the responsibility for ensuring they have an appropriate disclosure falls on the agency.

### **Is it only Bahá'ís who can be on our list of accredited children's tutors?**

The National Assembly's *Safeguarding Children: Frequently Asked Questions* states that:

The Safeguarding Children Policy allows for people who are not Bahá'ís and/or not on a list to go through the National Spiritual Assembly procedure and obtain a certificate by the appropriate route so that, if they are known to be competent, they can also work with children on our behalf and be on our list.

### **Can a DBS certificate from another organisation be accepted to work with children?**

If a person has substantial access to children and young people under 18, and only has a paper certificate, then it must be a DBS certificate applied for under the auspices of the National Spiritual Assembly.

If a person has subscribed to the online DBS Update Service through another organisation or through employment within the same 'Child' workforce (e.g., professional teachers, teaching assistants etc), they must inform the OSC ([osc@bahai.org.uk](mailto:osc@bahai.org.uk)) as their consent is required to check online the current status of their certificate. Even so, in addition, a clear Enhanced Disclosure paper certificate, along with their personal details being entered on the National Assembly's ACT list, will both still be a requirement for working within the Bahá'í community with under 18's.

Please see page 5 for further guidance: *'What is the procedure for subscribing to the online DBS Update Service?'*

### **What do we do if an Asylum Seeker wishes to work with children on our behalf?**

The National Assembly's *Safeguarding Children: Frequently Asked Questions* states:

The only guidance specifically for them is that care should be taken to ensure that the terms of their stay allow them to undertake such voluntary work as otherwise we could be in breach of the law. In other respects they should be treated as other people from abroad if they are not in a position to apply for a DBS certificate....

### **If other adults reside in a home where children's classes or Junior Youth groups are taking place, do they need a DBS certificate?**

The Office for Safeguarding Children asked the advice of the Churches' Child Protection Advisory Service (CCPAS) which is outlined below:

As long as the adults in the home, where the children's class is held, are not involved with the children's class – that is they

- do not come into contact with the children in anyway
- do not come into the room
- do not greet the children

then they do not need to obtain a DBS certificate as they do not qualify for one.

However the CCPAS said that the DBS adults present need to be 'mindful' of any concerns about other adults present who are not involved and if so then it would be preferable to not hold a class in that home but move it to another place.

Please read the National Assembly's *Safeguarding Children: Frequently Asked Questions* for answers to similar questions.

### **How many adults should be present during an activity involving children, junior youth or youth up to the age of 18?**

All activities involving under 18s require ONE DBS checked person (so long as adult child ratios are adhered to) but it is best practice to have TWO DBS checked people who are legally adults present and who are on the Accredited List to care for their health, safety and well-being during the activity. 'Caring for' them is defined as being immediately available to help them in any way they should need.

In the event of an accident to or attack on one of the two DBS checked adults, the other remains available. It is not necessary for both adults to be in the same room at the same time (adult-child ratios permitting). The second adult must be within hearing distance of the first and able to help within a very short time, without the first adult having to leave the room.

In the case of under 18s attending a residential event, it should be pointed out to them that there will be a DBS checked responsible adult with a valid DBS certificate within easy reach at all times for their own safety. This should be included in the pre-project information sent out ahead of time.

The ACT list is held by the National Office and by Bahá'í Councils in England and Wales as well as the Training Institute and the OSC (OSC list administrator June Gumsley: [june.gumsley@bahai.org.uk](mailto:june.gumsley@bahai.org.uk)). If in doubt please contact the appropriate agency of the Faith.



## **Are there any exceptions to the rule that you need a DBS to teach a children's class or junior youth group?**

The general rule is that anyone who is going to teach, animate, tutor or host a regular activity must have a DBS certificate and their details on the list of accredited children's tutors before they initiate the class.

There is an exception to this general rule: If you are to visit a class occasionally (that is no more than 3 times a year and for no more than 2 hours each time), there is no need for a DBS check provided you are supervised at all times by someone with a valid DBS certificate.

This would allow a volunteer to visit a class to observe, to gain some practice, or to contribute a special session such as a workshop or craft activity. It does not allow you to start a regular class while waiting for the DBS certificate to arrive.

Also, this should not be interpreted to mean that a summer school or weekend school can have children's or junior youth classes with one adult teacher with DBS and volunteers/parents without DBS also teaching or helping on one or two or three days each. If you think you are going to be asked to contribute a special session more than three times a year, you will need to apply for a DBS check as soon as possible.

### **Overseas visitors:**

However, persons from abroad who wish to serve as children's class teachers or junior youth animators may be granted 'substantial access' for ONE session (i.e. ONE children's class or junior youth session) provided someone with a valid Enhanced Disclosure certificate is with them at all times. i.e. they must never be left in sole charge. More than one session requires that they be on the list of accredited tutors with a valid Enhanced Disclosure certificate. *Any exceptions to this will need to be referred to the Office for Safeguarding Children for their agreement. All such people will need to have completed a Volunteer Statement.*

## **What are the adult:child ratios for Children's classes and Junior Youth groups?**

There are ratios laid for how many adults (i.e. over 18s) need to be present with groups of children and youth of different ages (see the National Assembly's Guidance *Day Care Guidance policy*). For these purposes, even with a Disclosure, someone under the age of 18 does not count as an adult. Therefore, depending on the ages of the people involved, at least one adult over the age of 18 with an Enhanced Disclosure will need to be present.

## **What is the guidance for a youth aged 16 or 17?**

The following guidance is from the National Assembly's *Keeping Children Safe* policy.

A DBS checked youth aged 16 or 17 can serve alone as a teacher or animator but must have a DBS adult in close proximity to call upon when needed. The adult must be on the premises and in very close proximity. The adult must be available to attend quickly in case of an emergency. An appropriate risk assessment must be carried out. Adult to child ratios must always be adhered to.

## What is the minimum adult to child ratio?

0 - 2 years	1 adult to 3 children
2 - 3 years	1 adult to 4 children
4 - 8 years	1 adult to 6 children
9 - 12 years	1 adult to 8 children
13 -17 years	1 adult to 10 children

When young people are helping to supervise younger children only people aged 18 or over should be counted as adults when calculating adult to child ratios. Youth aged 16-17 year olds must be DBS checked and have their details on the list of accredited tutors before helping to supervise or teach younger children.

## What safeguarding children guidance is there for residential schools?

The National Assembly's *Guidance for Residential Schools* policy has the following guidance and consent forms:

- Appointing an Independent Person responsible for Child Protection Issues
- Disability Discrimination Act Code of Practice
- Health and Safety Code of Practice
- First Aid Code of Practice
- First Aid Report Form
- Parental Consent Form
- School Guardianship Form

The National Assembly's Safeguarding Children policy should also be referred to alongside *Guidance for Residential Schools* policy.

## What guidance is there regarding taking images of children at events or for use in printed publications, videos or on the Bahá'í UK website?

The National Assembly's *Imagery, Internet and Mobile Phones* policy has the following guidance from the Churches' Child Protection Advisory Service (CCPAS) summarised as follows:

### Filming and Taking Photographs

Since the introduction of the Data Protection Act in 1998, organisations must be careful if they want to take photographs or film footage of people, and how images are used. This does not mean that photographs should not be taken or filming prohibited but there are certain protocols that must be followed to comply with data protection legislation as well as to safeguard children, young people and vulnerable adults.

Permission must be obtained from both children and adults before a photograph is taken or film footage recorded. However, it is perfectly acceptable to ask parents/carers to let the organisation know if they do NOT want their child photographed or filmed. The worker should write to parents or carers to explain what is happening and leave the onus on the parent/ carer to contact them if they have any objections. In addition to this:

- It must be made clear why the image(s) or film is being used, what it will be used for and who might want to look at the pictures.
- When using photographs of children and young people, use group pictures and never identify them by name or other personal details. These details include e-mail or postal addresses, telephone or fax numbers.
- Obtain written and specific consent from parents or carers before using photographs on a website.

Other guidance is available on various websites, including the NSPCC, regarding the appropriateness of taking images of children in public and non-public places. Guidance includes: Unnecessary close up pictures of an individual child or young person with no surrounding context or purpose are to be avoided.

The National Assembly's *Imagery, Internet and Mobile Phones* policy has a specimen form for parental consent.

### **What guidance is available regarding children being vigilant when using the Internet's Chat Rooms and Facebook?**

The following guidance is from the National Assembly's *Imagery, Internet and Mobile Phones* policy:

In view of the increased use of the Internet by young people the National Spiritual Assembly feels it wise to share these guidelines. Unfortunately this is an area where those who prey on young people do operate. Also the technology is changing rapidly so this Appendix needs to be read in conjunction with the Child Exploitation and Online Protection Centre (CEOP) website <http://www.ceop.gov.uk>. While not wishing to stop Bahá'í participation we do feel the need for observing elementary precautions.

A NEWS message from The National Assembly on 'Vigilance on the Internet' was sent out on the 9 October 2012. An extract is below:

The National Assembly urges all young people and the parents of children who use social media, such as Facebook and Twitter, to observe strict rules of internet safety. These have been devised by the wider community in response to the tragic death of a child and are known, in memory of her, as 'Ashleigh's Rules'. They are a matter of common sense:

1. If meeting up with somebody who is unknown to you or your friends make sure that you meet them in a group of at least 2 or 3 others and in a public, well lit and populated area.
2. Inform somebody of where you are going and what time you should be back, also the name of who you are meeting.

3. Don't accept anyone on social networking sites as a 'Facebook friend' that you don't already know in real life.
4. Remember never to trust anyone who you have met online but not in real life. You don't know what they are capable of doing [even if they say they are a Bahá'í].
5. Never tell a stranger on network sites or chat rooms anything personal about yourself, e.g. where you live, date of birth etc.
6. Never meet anyone you don't know, simple as that!

A special request is made to those working with young people (e.g. animators) to discuss these rules with their groups and make sure that they are understood.

### **What is a risk assessment?**

The following guidance is from the National Assembly's *Keeping Children Safe* policy.

Some of the answers set out above referred to a 'risk assessment'. A risk assessment is simply a careful examination of what, in your location of work or activity, could cause harm to people, so that you can weigh up whether you have taken enough precautions or should do more to prevent harm.

### **How to assess risk**

The Health and Safety Executive recommends that we use the following five steps to assess risk

1. Identify the hazards
2. Decide who might be harmed and how
3. Evaluate the risks and decide on precautions
4. Record our findings and implement them
5. Review your assessment and update if necessary

An example of a risk assessment:

#### Outdoor activities & children with disabilities/special needs

If an activity for sixteen 9 to 12 year olds has a minimum of two DBS adults (preferably one male and one female), then following a risk assessment, this ratio would need to be increased for outdoor activities and more so if that activity is considered high risk or dangerous, or when catering for children with disabilities and special needs.

Please email [osc@bahai.org.uk](mailto:osc@bahai.org.uk) to request a risk assessment form with examples and guidance.

# CHILD PROTECTION

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## What is the definition of child protection?

Child Protection involves recognising signs of physical, sexual, or emotional abuse or neglect and acting on it to protect children. Child Protection is a component of Safeguarding Children.

## How does the policy define abuse of children?

Abuse is not easy to define. The full definitions, including the extracts listed below, are in the National Assembly's *Definitions and Signs of Abuse*.

Some body may abuse or neglect a child by inflicting harm, or by failing to act to prevent harm. Children may be abused in a family or in an institutional or community setting by those known to them or, more rarely, by a stranger.

Sexual abuse involves forcing or enticing a child or young person to take part in sexual activities, whether or not the child is aware of what is happening.

Physical abuse may involve hitting, shaking, throwing, poisoning, burning or scalding, drowning, suffocating or otherwise causing physical harm to a child.

Emotional abuse is the persistent emotional ill-treatment of a child such as to cause severe and continuous adverse effects on the child's emotional development.

Neglect is the persistent failure to meet a child's basic physical and/or psychological needs, likely to result in the serious impairment of the child's health or development.

## RESPONDING TO ALLEGATIONS OF ABUSE

### What principles apply when allegations of child abuse are made?

Every individual has a right to consult with the institutions of the Faith regarding sexual, physical and emotional abuse issues. Such issues should be accorded high priority by the institutions.

In all cases of alleged abuse, a compassionate response to the complainant must be the first priority. This attitude must be present even at a time when it is not yet certain that the allegations are accurate. At the outset complainants should be assured that abuse is abhorrent to the Teachings of the Faith. They should be asked what needs to be done to ensure that they, or the children on whose behalf the complaint is brought, will feel safe from further abuse. They should be offered whatever assistance is appropriate, such as support in accessing medical or counselling services. These responses do not pass judgement on or prejudice the rights of the person accused, but are part of the appropriate response to the possibility that the person present is a victim of abuse.

All persons accused of abuse are presumed to be innocent unless and until guilt is either admitted, determined by a court finding, or determined by the institutions of the Faith

following a consultative process. If an individual's permission to supervise children is withdrawn while the matter is pending, it is to be clearly understood that no admissions or findings of guilt are implied by this fact. The institutions of the Faith should ensure that no information is provided to the community that may adversely affect the reputation of a person accused of abuse while a matter is under investigation.

The National Assembly has this guidance in *Responding to Allegations of Abuse*:

All of us will often experience difficulty in making appropriate judgements. The National Spiritual must emphasise that it sees no role for the Bahá'í institutions in investigation allegations or complaints of abuse. These must be dealt with by the professionals. You must turn to bodies such as the Local Authority directly. However you should report to the National Assembly that you have done so.

The institutions of the Faith have, of course, a definite pastoral role in the ongoing support of victims of abuse.

The National Assembly's Office for Safeguarding Children can be contacted at [osc@bahai.org.uk](mailto:osc@bahai.org.uk).

### **What should a member of the Bahá'í Community do if they become aware of an allegation of child abuse?**

If a complaint or information concerning alleged child abuse (including any form of sexual abuse) comes to the attention of any member of the Bahá'í community, and the individual has reasonable grounds to suspect that a child has been abused or a child or children are at risk of abuse, the individual should immediately inform the Local Authorities (Social Services) or the Police or the National Society for the Prevention of Cruelty to Children (NSPCC).

The individual can contact an agency such as the Churches' Child Protection Advisory Service (CCPAS) on 0303 003 11 11 (option 2) which is an independent organisation with no denominational allegiance, though it encourages people to work through agreed procedures wherever possible. The helpline is available every hour of every day of the year, although out of hours is for **urgent** advice only.

The National Assembly has the following guidance in *Responding to Allegations of Abuse*:

The individual **MUST NOT** try to investigate the matter themselves. Their role is to relay information in order for the Local Authority and the Police, working together, to take appropriate action. Where there are allegations or concerns of sexual abuse, **DO NOT** tell the parents. The child's welfare must be put first. Parents could be involved and allegations of sexual abuse are usually denied and often difficult to prove.

In many cases it is illegal for someone with a duty of care not to report such a disclosure to the authorities. The individual may wish to contact the National Spiritual Assembly but please remember that *the institutions of the Faith do not have a role in the investigation of such allegations*.

In a letter dated 5 October 1992 written on its behalf to an individual believer, the Universal House of Justice has stated:-

If a Bahá'í has intimate knowledge of the abuse of a child, either within or outside the Bahá'í community, she has a moral and possibly a legal obligation to report the matter to civil authorities.

In all Local Authorities there is some mechanism for the reporting and assessment of child abuse allegations.

Any individual having knowledge of an incident of child abuse should also report the matter to the relevant Local Spiritual Assembly or a member of the Auxiliary Board for Protection.

It is important that individuals who suspect an incident of child abuse should keep matters confidential at this stage and not share the information with anyone other than the Local Authority, the Police, the agencies noted above and the institutions of the Faith.

Backbiting is not only a breach of this Policy but has the potential to expose the individual to a defamation claim, and is contrary to the Teachings of the Faith.

Detailed procedures for this situation can be found in the National Assembly's *Responding to Allegations of Abuse*.

### **What should a Bahá'í Agency receiving an allegation of child abuse do?**

A Bahá'í agency receiving an allegation or disclosure of abuse of a child in any form should immediately inform the Local Authority (Social Services) and the Police (it is important to know the relevant phone number for your area).

As an interim measure if the child is in a safe place they should try to keep them there until the authorities arrive. Then the authorities will take over.

If it is an allegation and the child is thought to be in immediate danger inform the police by dialing 999 and they will respond immediately.

The Bahá'í agency must report to the National Spiritual Assembly if they have contacted the Local Authority and/or the Police but please remember that *the institutions of the Faith do not have a role in the investigation of such allegations*.

The institutions of the Faith have, of course, a definite pastoral role in the ongoing support of victims of abuse.

Detailed procedures for this situation can be found in the National Assembly's *Responding to Allegations of Abuse*.

### **What should an Auxiliary Board Member for Protection receiving an allegation of child abuse do?**

The Auxiliary Board Member should report the matter immediately to the relevant Counsellor, and follow the Counsellor's advice with respect to proper handling of the matter, and reporting of the matter to the civil authorities where the person reporting the child abuse is not willing to report it immediately to the Local Authority (Social Services) and the Police.

As an interim measure if the child is in a safe place they should try to keep them there until the authorities arrive. Then the authorities will take over.

If it is an allegation and the child is thought to be in immediate danger inform the police by dialing 999 and they will respond immediately.

In its handling of cases of child abuse, members of the Continental Board of Counsellors and Auxiliary Board Members should bear in mind the guidance contained in this Policy.

If the Local Authority or the Police have been contacted the matter should be reported to the National Assembly but please remember that *the institutions of the Faith do not have a role in the investigation of such allegations*.

The institutions of the Faith have, of course, a definite pastoral role in the ongoing support of victims of abuse.

The National Assembly has detailed procedures for this situation in *Responding to Allegations of Abuse*.

### **What should a Local Spiritual Assembly receiving an allegation of child abuse do?**

The Assembly should advise the individual of the limits of confidentiality in child abuse matters, as the Assembly is obliged to report the matter to the Local Authority or Police whenever it has reasonable grounds to suspect that a child has been abused or is at risk of abuse.

If it is an allegation and the child is thought to be in immediate danger inform the police by dialing 999 and they will respond immediately.

If a person tells the Assembly that another adult has indecently assaulted a child but does not wish to report it to the authorities, the Assembly has a duty to report this matter as it is a matter of child protection. The Assembly should advise the informant to report the matter albeit anonymously, if the informant still refuses, the Assembly must inform the authorities after providing the option to the informant.

The Assembly has the prime responsibility to ‘make safe’ any child considered to be at risk until further specialist advice can be obtained. As an interim measure if the child is in a safe place they should try to keep them there until the authorities arrive. Then the authorities will take over.

The National Assembly has the following guidance in *Responding to Allegations of Abuse*:

Contact the Local Authority. DO NOT try to investigate the matter yourself. Your role is to relay information in order for the Local Authority and the Police, working together, to take appropriate action.

Where are allegations or concerns of sexual abuse, DO NOT tell the parents. The child’s welfare must be put first. Parents could be involved and allegations of sexual abuse are usually denied and often difficult to prove.



The National Assembly has this guidance in *Responding to Allegations of Abuse*:

All of us will often experience difficulty in making appropriate judgements. The National Spiritual must emphasise that it sees no role for the Bahá'í institutions in investigation allegations or complaints of abuse. These must be dealt with by the professionals. You must turn to bodies such as the Local Authority directly. However you should report to the National Assembly that you have done so.

The institutions of the Faith have, of course, a definite pastoral role in the ongoing support of victims of abuse.

The Assembly should consider what steps need to be taken to provide ongoing support for the victim and other persons affected, including family, friends and the community. These steps may well include referring the individuals to appropriate medical, legal or other professionals who can assist them.

Once the matter is reported, investigation of the allegation should be left entirely in the hands of the Local Authority or Police.

Strict confidentiality is imperative. The Local Assembly must handle allegations of child abuse and any investigations it undertakes with strict confidentiality due to the stigma that attaches to persons associated with such offences. Failure to maintain strict confidentiality is not only a breach of this Policy but can potentially expose the Local Assembly and its members to claims of defamation, and is contrary to the principles of Bahá'í administration.

### **What should be the procedure if a Local Assembly is largely composed of one family, and a family member is implicated?**

Please consult with the Auxiliary Board member for Protection.

### **What happens when a report is made to the Local Authority?**

Please refer to the National Assembly's *What happens when you tell the Local Authority?* for the full guidance.

### **What should be the response to a child who wants to talk about abuse?**

The following extract is from the National Assembly's *A General Guide to the Safeguarding Children*:

This all makes it very clear that any of us at any time could be told that someone has been the victim of abuse. What on earth should we do, particularly if we are acting in an official capacity for the Faith? The National Assembly has detailed procedures for this situation in *Responding to Allegations of Abuse*.

When a child or any vulnerable person wants to talk about abuse, it is important for the worker to listen carefully to what the child says without prompting or using leading questions. Also it is important to emphasise here that Bahá'í administrative bodies have no role in the **investigation** of allegations of abuse, which must be referred on to the appropriate authorities.

## **Is there a procedure for the Local Assembly and agencies of the Faith to follow when recording the handling of a child abuse allegation?**

The *Policy Concerning Records Relating to Child Protection Cases* August 2012 (revised 2018) has the following guidance:

1. Recent experience strongly suggests that we need a clear and simple policy concerning records of activity in cases involving child protection issues.
2. This policy applies to all agencies of the Faith that are handling such matters including the Office for Safeguarding Children and the Community Care Coordinating team of the National Spiritual Assembly, the National Spiritual Assembly and the Learned Arm.
3. A copy/record of all communications made to any outside agency, whether by email, letter, Skype or phone, as well as any similar record of any responses or other actions taken, needs to be lodged with the National Office.
4. These records must be kept secure and confidential with access granted only to those agencies mentioned above whose task it is to ensure that all proper safeguarding procedures are in place and all appropriate steps have been taken and who therefore need to have access to these records for the ongoing protection of the Faith and of vulnerable others from the risk of sexual abuse.
5. The National Assembly and the Counsellor(s) will need to keep a list of all those about whom such information is held so that, should they become aware of any current concerns about any such individual, they can immediately ensure that appropriate steps have been taken to contact the relevant agencies within the Faith who can then determine as rapidly as possible whether it is necessary to also alert the appropriate agencies in the wider community. This list cannot, by law, under the General Data Protection Regulation (GDPR) and the Data Protection Act 2018 (DPA), be made generally available. Names will remain on the list until it can be objectively established that the person concerned no longer represents a risk of any kind. This may mean that most names remain on the list indefinitely, which is in accordance with our understanding of the GDPR and the DPA.

## **What about physical discipline of children?**

In a letter addressed to an individual dated 24 January 1993, the Universal House of Justice provides guidance about the treatment of children:-

The use of force by the physically strong against the weak, as a means of imposing one's will and fulfilling one's desires, is a flagrant transgression of the Bahá'í Teachings. There can be no justification for anyone compelling another, through the use of force or through the threat of violence, to do that to which the other person is not inclined...

You have raised several questions about the treatment of children. It is clear from the Bahá'í Writings that a vital component of the education of children is the exercise of discipline. Shoghi Effendi has stated, in a letter written on his behalf about the education of children, that:

Discipline of some sort, whether physical, moral, or intellectual is indeed indispensable, and no training can be said to be complete and fruitful if it

disregards this element. The child when born is far from being perfect. It is not only helpless, but actually is imperfect, and even is naturally inclined toward evil. He should be trained, his natural inclinations harmonized, adjusted and controlled, and if necessary suppressed or regulated, so as to ensure his healthy physical and moral development. Bahá'í parents cannot simply adopt an attitude of non-resistance towards their children, particularly those who are unruly and violent by nature. It is not even sufficient that they should pray on their behalf. Rather they should endeavour to inculcate, gently and patiently, into their youthful minds such principles and teachings of the Cause with such tactful and loving care as would enable them to become "true sons of God" and develop into loyal and intelligent citizens of His Kingdom...

*Lights of Guidance, p. 152*

While the physical discipline of children is an acceptable part of their education and training, such actions are to be carried out "gently and patiently" and with "loving care", far removed from the anger and violence with which children are beaten and abused in some parts of the world. To treat children in such an abhorrent manner is a denial of their human rights, and a betrayal of the trust which the weak should have in the strong in a Bahá'í community.

## **MANAGING INDIVIDUALS CONSIDERED TO POSE A RISK TO THE COMMUNITY**

### **What guidance is available to a Local Spiritual Assembly if an individual is convicted or suspected of offences against children?**

Please contact the Office for Safeguarding Children ([osc@bahai.org.uk](mailto:osc@bahai.org.uk)) for the National Assembly's *Managing those convicted/suspected of offences against children*.

No one should take on the role of managing such work without reference to the National Assembly and its pastoral care system.

### **Should the Assembly take any interim steps to remove the possibility of risk?**

Yes. In the event that the person accused is involved in the teaching, supervision or care of children, and the Local Assembly determines that reasonable grounds exist to suspect that a child has been abused or is at risk of abuse, the Local Assembly should ask the accused to stand aside from such roles until the matter is resolved.

In accordance with the principles for dealing with allegations of abuse, it is to be clearly understood that this act should not be taken to imply guilt. The National Assembly will determine whether the individual is to be permanently removed from the role of teaching, supervision or care, if they are currently performing such a role.

### **Should the Assembly consider possible administrative sanctions?**

If the information available to the Local Assembly indicates the possible breach of Bahá'í law, the responsible institution should take appropriate steps in accordance with the principles set forth in the chapter titled "Administration of Bahá'í Law". However, Bahá'í institutions must be careful not to interfere, directly or indirectly, with any

criminal or civil investigation (e.g. by discouraging an individual from making a report or by alerting an individual to an investigation). Once the matter is before the Local Authority or the Police, the Local Spiritual Assembly should not involve itself any further and should leave the matter to the civil authorities to fully investigate.

### **Should the National Assembly be kept informed?**

Yes. The responsible institution should make sure that the National Assembly is kept fully informed of all developments in the matter, especially of any actions taken by the Local Authority or the Police in relation to the allegation. The National Assembly will treat any report and any advice sought by the Local Assembly in relation to cases of abuse of children as a matter of high priority.

In considering applications for the restoration of voting rights in child abuse cases, the National Assembly will consider whether ongoing measures are required for the long-term protection of children, such as barring the offender from being placed in a role of teaching, caring for or supervising children.

### **What is the procedure regarding Voting Rights if an allegation of abuse is made?**

As a general rule, when allegations of child abuse have been made, the National Spiritual Assembly does not consider the removal of Voting Rights until the legal process has worked itself through and a verdict has been announced and the appeal process has been gone through. Voting Rights decisions are considered and made after the court's verdict.

### **Are there any other steps a Local Spiritual Assembly can take to protect the children under its care?**

Yes. The Local Assembly has the power to appoint believers to local committees and to ask them to carry out a wide variety of functions. In a case where there is no improper behaviour, but the Assembly is uneasy and has the view that a certain believer would be better occupied in duties unrelated to the care of children, it can make its decisions accordingly. The Assembly is free to guide such a believer indirectly, by simply encouraging his or her involvement in these unrelated duties. Naturally, strict confidentiality must be maintained at all times. If the individual presses for appointment in an area of activity involving children, the Assembly should feel free to turn to the National Assembly for guidance.

### **Are there external sources for training sessions on Child Safeguarding and Protection?**

Contact your Local Safeguarding Children Board to take advantage of free one day or half day conferences/workshops that most LSCB's organise for people working and volunteering with children, including those from churches and faith communities.

[Each Local Authority must have a 'Local Safeguarding Children Board' (LSCB). These boards are joint agency groups that are responsible for child welfare in their area.]

## THE NATIONAL SPIRITUAL ASSEMBLY'S SAFEGUARDING CHILDREN POLICY AND SUPPLEMENTARY MATERIALS

Some of the following guidance materials referred to in the 'Guidance Notes for Local Spiritual Assemblies on Safeguarding Children & Child Protection' can be downloaded from the **UK Bahá'í Resources website** at <https://bahaidata.com/welcome/safeguarding/>. The website (under Guidance/Safeguarding Children) will have the latest updated policies and other documents.

All the materials are available on request from the Office for Safeguarding Children. Please email the Office for Safeguarding Children specifying which document(s) you require at [osc@bahai.org.uk](mailto:osc@bahai.org.uk)

- **Keeping Children Safe** - a helpful guide in a question and answer format addressing common questions that arise in relation to Disclosure and Barring Service (DBS) requirements
- **Safeguarding Children Policy** - this policy should be studied and applied by those responsible for young people at all Bahá'í events, residential or otherwise.
- **A General Guide to the Safeguarding of Children** - includes the core points from all the supplementary documents listed below and explains why it is imperative to implement the safeguarding measures faithfully.
- **Child Safeguarding Frequently Asked Questions** - essential supplement for all those responsible for organising event
- **What Happens When You Tell the Local Authorities?** - guidance about when is the right time to involve tell the authorities and descriptions of what then happens.
- **Responding to Allegations of Abuse** - what to do if someone comes to you making allegations of abuse either from his or her own experience or indirectly about someone else.
- **Definitions & Signs of Abuse** - what to look for that would alert you to the possibility of abuse
- **Guidance for Residential Schools** - crucial guidance for those who are responsible for organising residential events.
- **Imagery, the Internet & Mobile Phones** - basic advice on use of the internet and mobile phones along with proper processes for obtaining consent for the use of images of children.
- **Guidance for Day Care** - guidelines on safety, adult-child ratios and other factors relevant to complying with the due process when running events in the day that involve young people.
- **Guidance for Prospective Independent Person - Bahá'í Residential Schools** - crucial guidance for the two designated Independent Persons responsible for Child Protection issues and to whom children or concerned adults may go with issues of any kind relating to those under the age of 18.
- **Responding to Bullying & Self-Harm Concerns** - helpful contacts and information for event organisers and Independent Persons.

Also available:

- **DBS Certificate Application process (England and Wales)**
- **Document Checkers list for Applicants**