

MINAB

DRAFT CONSTITUTION DRAFT STANDARDS

MOSQUES AND IMAMS NATIONAL ADVISORY BOARD



In the Name of Allah the Most Merciful and the Most Beneficent

Hold Fast, all together, to the bond with Allah
and be not divided.

(The Holy Qur'an)

FOREWORD

The Mosques and Imams National Advisory Board (MINAB) was established in June 2006. An alliance of four organisations - Al-Khoei Foundation, British Muslim Forum (BMF), Muslim Association of Britain (MAB) and Muslim Council of Britain (MCB) has achieved consensus on a Constitution for the MINAB and developed a draft framework of core minimum standards for those who become its members. Membership of the MINAB is open to all mosques and Muslim educational and training establishments.

The Constitution defines the MINAB as an independent body, non-sectarian in its outlook, representing the diversity of Islam, and is broad-based, with an accountable system of representation. The MINAB has come into existence due to the needs of the Muslim communities settled in the UK. It belongs to the community and is led by the community.

The MINAB aims to be an advisory body, which will facilitate good practice in the governance of Mosques and improvement in the performance of Imams. Its advisory function will be discharged through provision of guidance. Its facilitatory function will be discharged through consensus on Standards and Good Practice.

The policy and decision making processes in the MINAB are guaranteed by the Constitution to be democratic and transparent. The Constitution provides for measures to encourage participation of all, irrespective of differences in the details of faith. We have opted for a formative model of self-regulation for members. Self-regulation will be standard based.

The implementation of agreed standards is designed to improve and enhance the value of Mosques, as well as educational and training establishments for the Muslim communities. The core standards identified in the consultation document are only examples which are driven by the desire to - increase the skills of all Imams through leadership training; language skills and sharing best practice; strengthen financial management and inject greater accountability into the governance system of members; increase the access of women and young people to Mosques; provide advice on the suitability of Imams and scholars coming from abroad for employment in the UK; and to ensure that proper child protection policies and health and safety arrangements are in place. Self-regulation provides an opportunity to build capacity within the Muslim community, who are at different stages of organisational development. In the system of self-regulation, the process is as important as the content. The self-regulatory approach empowers members to share the learning across various sectors, and it gives them the channels to share good practices. It allows for different existing regulators, such as Health and Safety executives, to advise community organisations on their requirements.

We commend the documents to you and seek your views on their content. We very much hope that you will find it worthwhile to join us in our journey to assist our communities to improve the services provided by our places of worship and learning.

Your comments will shape the final version of these documents, which we will launch in March 2008 in London. We look forward to hearing from you.

STEERING GROUP

ACKNOWLEDGEMENTS

Our communities in the UK are endowed with some exceptional people whose skills and commitment are exemplary. The MINAB Steering Group had the pleasure of being advised and assisted by two such people, namely Brothers Khurshid Drabu and Yasin Rahim.

Brother Khurshid Drabu's record of public service, both as a lawyer and as a Judge, and his work with the Muslim communities in a number of ways, is well known. Brother Drabu's deep understanding of the communities and its aspirations, and his highly respected legal skills, guided the group through numerous challenging issues. The draft Constitution is a product of his professionalism, unwavering commitment to unity and dedication to boldly address issues of concern to the Muslim communities. We are immensely grateful to him.

Brother Yasin Rahim's rich and well respected experience in standard setting was instrumental in the drafting of the Standards document. It was his advice and guidance that led the group to agree on the formative model of self-regulation. His well articulated understanding of various regulatory structures and mechanisms was invaluable to our long discussions. For his contribution and work, the group is hugely grateful.

STEERING GROUP

DRAFT CONSTITUTION OF THE MINAB

MINAB
MOSQUES AND IMAMS NATIONAL ADVISORY BOARD

PREAMBLE

That as independent voluntary organisations working for the pleasure of Allah and for the betterment of Muslims in the United Kingdom we

The Al-Khoei Foundation

The British Muslim Forum

The Muslim Association of Britain and

The Muslim Council of Britain

have joined together to work for the delivery of the aims and objectives set out hereinafter, and have founded the Mosques and Imams National Advisory Board (MINAB).

CONSTITUTION

ARTICLE 1

INTENT

As founding members of the MINAB we hereby adopt this Constitution and we pledge to abide by its provisions intending the MINAB to be:

- a) An independent body.
- b) Non Sectarian in its outlook.
- c) Representing the diversity of Islam.
- d) Broad based with an accountable system of representation.

ARTICLE 2

AIMS AND OBJECTIVES

The MINAB is an advisory body, which will facilitate good practice in the governance of Mosques and improvement in the performance of Imams. Its advisory function will be discharged through provision of guidance. Its facilitatory function will be discharged through consensus on Standards and Good Practice.

OBJECTIVES

- a) Assist in building the capacity of Mosques to function as community hubs.
- b) Assist Mosques in matters of governance.
- c) Advise on improved access and involvement of women and youth to Mosques.
- d) Spread best practice through the development of standards.
- e) Advise relevant bodies on training requirements/needs of Imams.
- f) Advice on the skills and competencies for appointment of Imams.
- g) Advise members on legal compliance.
- h) Provide information to members on access to resources and/ or make better use of resources for achievement of standards.
- i) Facilitate harmonisation of standards in relation to religious education in Mosques and Madrasahs.
- j) Encourage Mosques to become centres of community cohesion, citizenship and dialogue.
- k) Advise on the suitability of Imams and scholars coming to the UK from abroad.

- l) Co-operate and engage with other regulatory and non-regulatory bodies in the UK and abroad, in order to enable the MINAB to achieve its aims and objectives.

ARTICLE 3

MEMBERSHIP

- a) A Mosque or Islamic Centre, which functions as a place of worship for persons who believe in no God but Allah and Muhammad (PBUH) as His last Prophet and to whom the Qur'an, the true Word of Allah, was revealed, is eligible for membership of the MINAB, provided that it is located in the United Kingdom, and that it subscribes to the Aims & Objectives, and that it adheres to the provisions set out in the Constitution, or
- b) An institution or establishment, which is engaged or involved in the training - vocational or academic - of persons aspiring to become Imam or Islamic Teacher, shall also be eligible for membership of the MINAB, provided it is located in the United Kingdom, and it subscribes to the Aims & Objectives, and adheres to the principles set out in the Constitution, and
- c) Pays such fees as is set by the Executive Board.

ARTICLE 4

STRUCTURE

The structure of the MINAB shall comprise of

- a) The General Council
- b) The Executive Board

ARTICLE 5

THE GENERAL COUNCIL – MEMBERSHIP

- a) The General Council shall consist of delegates from all members and also those appointed by the Executive Board, to reflect a balance of schools of thought in Islam, gender and ethnicity.
- b) Each member in the category of a Mosque or Islamic Centre, which provides basic services, shall appoint one delegate to the General Council. A Mosque or Islamic Centre in this category shall be such as is defined in the Standing Orders made in pursuance of Article 9.
- c) Each member in the category of a Mosque or Islamic Centre with extended services shall appoint two delegates to the General Council.

A Mosque or Islamic Centre with extended services shall be such as is defined in the Standing Orders made in pursuance of Article 9.

- d) Each institution or establishment admitted as a member shall appoint one delegate to the General Council.
- e) The Executive Board may appoint, by nomination, no more than five delegates to the General Council. The delegates so appointed may not be from amongst the membership of the MINAB.

ARTICLE 6

THE GENERAL COUNCIL – DUTIES

- a) The General Council shall meet at least once a year.
- b) It shall give the strategic direction to the MINAB.
- c) It shall promote the aims and objectives of the MINAB.
- d) It shall consider recommendations made by the Executive Board.
- e) It shall elect members of the Executive Board.
- f) It shall receive and approve the annual estimated budget, the annual report and audited statement of accounts from Office Bearers.

ARTICLE 7

THE GENERAL COUNCIL – MEETINGS

- a) All meetings of the General Council shall be chaired by a person appointed by the Executive Board.
- b) The Chair of a meeting of the General Council shall have no executive function.
- c) All delegates to the General Council meetings shall conduct themselves in Islamic manner and shall, in their actions, be solely motivated to serve the Muslim community in the United Kingdom in matters within the domain of the MINAB.

ARTICLE 8

THE EXECUTIVE BOARD – MEMBERSHIP

- a) The Executive Board shall consist of no more than 58 members, of whom 26 shall be appointed by election by the General Council at its duly convened meeting for the purpose.

- b) The term of Executive Board shall be two years and it shall meet at least once every quarter.
- c) The quorum for meetings of the Executive Board shall be one-third of its membership, provided that to the end of 2050, 8 of those present are elected members.
- d) Decisions made at meetings of the Executive Board shall be reached by consensus, but where necessary, unless an issue is ruled to be of special significance by the Chair, binding decision will require the positive approval of the majority of those in attendance. An issue ruled to be of “special significance” shall require positive approval of two thirds of members present.
- e) Every member on the Executive Board shall retire at the end of the two year term, but may seek re-appointment.
- f) No person shall be eligible for election to the Executive Board unless he/she is a duly appointed delegate of a member of the MINAB.
- g) Each founding member may, to the end of 2050, appoint by nomination no more than six persons to serve as members of the Executive Board, and thereafter the Executive Board shall comprise of 50 elected, and up to 8 co-opted members.
- h) The Executive Board may appoint by co-option no more than eight persons to the Executive Board to reflect balance on schools of thought in Islam, gender and ethnicity.
- i) In exercising its power to co-opt, the Executive Board shall co-opt at least four persons who are from the Shia Muslim community, if the representation of the Shia Muslim community on the Executive Board is less than 20 percent of its total membership.

ARTICLE 9

THE EXECUTIVE BOARD – DUTIES

The Executive Board Shall

- a) consider and approve annual budgets;
- b) consider and approve work plans;
- c) give guidance and provide support for the work of the MINAB;
- d) appoint office bearers and receive regular reports from them;
- e) appoint Consultative Councils, as and when required;
- f) seek, receive, consider and implement recommendations from the Consultative Councils on general or specific issues;

- g) appoint specialist committees to facilitate its work and to further the aims and objectives of the organisation;
- h) nominate persons for appointment to the General Council for purposes set out in Article 6;
- i) consider and approve documents which set out guidance on governance and/or syllabi;
- j) pass Standing Orders; make rules of procedure and good practice to assist in the smooth running of the MINAB;
- k) set and review membership fees of the MINAB as appropriate;
- l) appoint Chair/s for General Council meetings.

ARTICLE 10

THE OFFICE BEARERS

- a) The MINAB shall have the following office bearers
 - (i) Chair
 - (ii) Vice Chairs
 - (iii) Treasurer
 - (iv) Secretary
- b) The appointment of Office Bearers shall be made by the Executive Board.
- c) No office bearer may hold the same office for more than two consecutive terms.

ARTICLE 11

DUTIES OF THE OFFICE BEARERS

Chair

- a) The Chair shall be the head of the organisation and shall speak on its behalf.
- b) The Chair shall be responsible for convening meetings of the General Council and the Executive Board.
- c) The Chair shall be one of the three authorised signatories for the accounts of the MINAB.
- d) The Chair shall present his report to the Annual General Meeting of the General Council, as required under Article 8.
- e) The Chair shall, in consultation with other office bearers, draft such proposals as are appropriate from time to time to further the aims and objectives of the MINAB, for consideration and approval of the Executive Board.

Vice Chairs

- a) There shall be four Vice-Chairs – each founding member appointing one.
- b) The Vice Chairs shall carry out such functions as assigned by the Chair.
- c) In the absence of the Chair, the Vice Chair, nominated by the Chair, shall act as the Chair and shall have the full powers and responsibilities of the Chair.

Treasurer

- a) The Treasurer shall have responsibility for the finances of the MINAB.
- b) The Treasurer shall draft and secure approval of the annual budget by the Executive Board.
- c) The Treasurer shall keep the Executive Board informed at all times of the financial position of the MINAB by presenting written financial reports at each meeting of the Executive Board.
- d) The Treasurer shall devise and plan fundraising strategies and activities.

Secretary

- a) The Secretary shall have responsibility for the day to day management of the administrative staff of the MINAB and its website.
- b) The Secretary shall be responsible for all minutes and record keeping.

ARTICLE 12

LEGAL STATUS

- a) The MINAB shall be a registered charity under the laws of England & Wales.
- b) The MINAB shall be an incorporated company limited by guarantee, and the provisions of this Constitution will be part of the Memorandum of Articles and Articles of Association.

ARTICLE 13

AMENDMENTS TO THE CONSTITUTION

- a) The Constitution can be amended at a duly convened meeting of the General Council.
- b) A proposal to amend the Constitution in respect of Articles 5, 8 and 10 shall be an issue of “special significance”, and shall require positive

- approval of two thirds of members present.
- c) A proposal to amend the Constitution in any other respect shall be in writing, and shall require a proposer and a seconder before it can become part of the agenda of a meeting of the General Council.
 - d) A proposal to amend the Constitution shall not be considered unless notice of the same has been given to all the eligible members of the General Council, at least 21 days in advance of the meeting.
 - e) Subject to (b), a proposal to amend the Constitution shall require affirmative vote of no less than two thirds of members present and voting.
 - f) No amendment, which requires approval of the Charity Commission or any other relevant authority, shall come into effect unless such approval has been obtained.

ARTICLE 14

DISSOLUTION

- a) The General Council may dissolve the MINAB if it passes a duly moved resolution to dissolve, and a written notice whereof has been given to all eligible members three weeks prior to the date of the meeting.
- b) A resolution to dissolve shall require the support of two thirds of the members of the General Council, including, until the end of 2050, the agreement of all the founding members.
- c) If the resolution to dissolve is passed, the Office Bearers shall be responsible to realise all the assets, to discharge all the debts and donate, with the agreement of the four founding members, any surplus funds to a registered charity, which has similar aims and which the General Council directs.

DRAFT STANDARDS OF THE MINAB

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MOSQUES AND IMAMS NATIONAL ADVISORY BOARD

DRAFT STANDARDS BASED ASSESSMENT

Through self Regulation of Members

The Way Forward for the MINAB

1.0 Introduction

The Mosques and Imams National Advisory Board (MINAB) was formally launched on 27 June 2006. The MINAB is an advisory and facilitatory body. It will facilitate self-regulation through getting consensus from members to develop quality standards, to which members will aspire towards. Its advisory role will be to provide guidance and build capacity of members to move towards achievement of the standards. It is an independent body which aims to work with and represent all Muslim traditions and schools of thought.

The first stage of creating the MINAB was a national consultation, which sought views on issues such as the accreditation of Imams, better governance of Mosques and interfaith activity. The information gained was used to develop and disseminate a good practice guide, setting out the principles and procedures that Mosques and Imams should follow to effectively lead their communities. However, there was concern that the consultation process had not been extensive enough and that the information obtained was not complete enough to assist.

Since its launch, the MINAB's work has been undertaken through an interim steering group, comprising of representatives from the Al-Khoei Foundation, British Muslim Forum, Muslim Association of Britain and Muslim Council of Britain.

1.1 Definition

The MINAB is an advisory body, which will facilitate good practice in the governance of Mosques and improvement in the performance of Imams. Its advisory function will be discharged through the provision of guidance. Its facilitatory function will be discharged through consensus on Standards and Good Practice.

1.2 Consultation

Consultation of such standards will take place to secure consensus amongst stakeholders. The consultation process will be an opportunity to share the vision of an advisory and self-regulating body.

1.3 Stakeholders

- a. Mosques
- b. Imams
- c. Islamic centres
- d. Muslim educational institutions

2.0 The Guiding Principles

The MINAB will be guided by the following principles

- Transparency
- Confidentiality
- Non-sectarian in its outlook
- Representing the diversity of Islam
- Broad-based with an accountable system of representation.

2.1 Methodology

Self-regulation through agreed Standards allows stakeholders to own the process and is an effective starting point for capacity building.

3.0 Membership shall be open to

- a) A Mosque or Islamic Centre, which functions as place of worship for persons who believe in no God but Allah and Muhammad (PBUH) as His last Prophet, and to whom the Qur'an, the true Word of Allah, was revealed, is eligible for membership of the MINAB provided it is located in the United Kingdom, and it subscribes to the Aims & Objectives and adheres to the provisions set out in the Constitution, or
- b) An institution or establishment, which is engaged or involved in the training - vocational or academic - of persons aspiring to become an Imam or Islamic Teacher, shall also be eligible for membership of the MINAB, provided it is located in the United Kingdom and it subscribes to the Aims & Objectives and adheres to the principles set out in the Constitution, and
- c) Pays such fees as is set by the Executive Board.

4.0 Standard setting

The MINAB, will through consultation and consensus, propose and develop standards for members. These standards will reflect and take full account of all the relevant legal obligations.

4.1 Accreditation

The MINAB will then accredit members on these standards, based on self assessment.

5.0 Stages toward Implementation of a Self-Regulatory Structure

For self-regulation to take place, two major steps are required for the setting up of the self-regulatory institution:

1. Rules and Standards
2. Implementation and Monitoring

This document recommends a formative model, allowing the self-regulatory body to assess performance through compliance to the agreed standards on a self assessment basis.

Rules and Standards

A number of statutory provisions are relevant and applicable to mosques as public places and to educational activities carried out in and outside Mosques. Examples are the laws on health, safety, child protection, incitement to racial hatred, discrimination in employment and in service provision, etc. Standards agreed through the MINAB will be developed to harmonise standards, and which complement and supplement the law.

Implementation and Monitoring

Rules and standards, once they are formulated, must be implemented and verified, in order that the aim of the self-regulation is met.

6.0 Monitoring compliance of standards set

- 6.1 Members seeking accreditation will endeavour to provide an assurance statement that they will meet the standards set by the MINAB.

- 6.2 Random visits will be undertaken by trained teams, appointed by the MINAB, and the visits will be carried out on a random sample of members.
- 6.3 The MINAB will publish an annual report. The report will identify the progress made in meeting the core standards and shall consider strategies to support members to meet the core standards.

7.0 Draft standards

The examples of the standards below have been collated by reviewing existing documents, such as “Good Practice Guide for Mosques and Imams in Britain, Mosques and Imams National Advisory Body Consultation Findings and Conclusions” and “Voices from the Minarets.” Some of these standards have also come from a trawl of existing policies that apply to Mosques and Imams.

7.1 Examples of standards for members

Core Standard 1

Members apply principles of good corporate governance.

Element 1

Where relevant, members have a governing document, which commits itself to open, democratic, accountable management.

Element 2

Where appropriate, members are registered as a charity, waqf or company.

Element 3

Where relevant, members have a publicly displayed policy on raising and spending funds.

Element 4

Where relevant, members have written and easily accessible policies on equality of opportunity, racial and religious harassment, health and safety, hygiene, child protection and each policy has clear systems set out for monitoring implementation.

Core Standard 2

Members undertake systematic risk assessment.

Element 1

Members undertake regular monitoring to ensure compliance with Health and Safety, Hygiene, Fire Prevention, Childcare and protection, disability requirements, etc.

Core Standard 3

Members, where applicable, maintain an up-to-date risk register.

Core Standard 4

Members ensure that services are provided by suitably qualified and/or experienced personnel.

Element 1

All volunteers and staff involved in delivering spiritual care and treatment receive appropriate supervision, taking into account national guidance developed by the MINAB.

Element 2

Spiritual leadership is supported and developed within all disciplines.

Element 3

Women, volunteers and staff have access to personal development and training, including religious/scholarly training.

Core Standard 5

Members ensure that all volunteers and employees continuously update skills and techniques relevant to their work.

Element 1

Volunteers and employees from all disciplines have access to, and participate in, activities to update the skills and techniques relevant to their work.

Element 2

Members have written policies and set out systems of implementation and monitoring on support, supervision and appraisal of volunteers and staff.

Element 3

Members cooperate with each other and with social care organisations to ensure that needs of their members are properly managed and met.

Core Standard 6

There are systems and processes in place to ensure that there are no impediments to the participation in the activities, including governance, for young people and women.

Element 1

Members set up Youth Committees to involve youth and to cater to their needs.

Element 2

Members set up Women Committees to encourage participation of women, and to cater to their needs.

Core Standard 7

Members protect children by following national child protection guidelines within their own activities and in their dealings with other organisations.

Element 1

Members have effective processes for identifying, reporting and taking action on child protection issues, in accordance with the Protection Of Children Act 1999, the Children Act 2004 and Working together to safeguard children (HM Government, 2006).

Element 2

Members work with all relevant partners and communities to protect children, in accordance with Working together to safeguard children (HM Government, 2006).

Element 3

Criminal Records Bureau (CRB) checks are conducted for all volunteers and staff with access to members of the community in the normal course of their duties.

Core Standard 8

Members ensure there are programmes that promote civic responsibility of Muslims in wider society.

Element 1

Members have programmes that actively combat all forms of violent extremism within the society at large.

Element 2

Members run bi-annual events to discuss, explore and promote the importance of living in peace with others in a culturally diverse society.

Element 3

Members initiate and promote a citizens' charter of responsibilities and rights.

Core Standard 9

Members ensure that interfaith activities take place with local communities.

Element 1

Members provide basic Islamic awareness training locally for communities.

Element 2

Members encourage participation in the events of other communities.

Core Standard 10

Where relevant, members provide support in matrimonial services, including Nikah, and mediate in matrimonial conflict resolution.

Element 1

Where appropriate, members have uniform procedures for carrying out marriages and standard documents for certification of marriages.

Element 2

Members ensure that forced marriages are understood and publicised as un-Islamic.

Element 3

Members ensure that use of violence and harassment in matrimonial or domestic matters is understood and publicised as un-Islamic.

Element 4

Members endeavour to have activities to inform and educate on rights and responsibilities in matrimonial relationships.

Element 5

Members endeavour to cooperate with other agencies, including the voluntary and public sector, in bringing about reconciliation in fractured relationships.

This document outlines an approach for self-regulation of members. Each of these standards would need to be consulted upon with the stakeholders and lines of enquiry identified for the purpose of transparency and implementation.

The Mosques and Imams National Advisory Board (MINAB) is an independent voluntary organisation working for the pleasure of Allah and for the betterment of Muslims in the United Kingdom. It is founded by:

The Al-Khoei Foundation
The British Muslim Forum
The Muslim Association of Britain
The Muslim Council of Britain