



Breathworks

Safeguarding Policy

Policy Ref:	PO 005
Policy name:	Safeguarding
Owner:	Board of Trustees
Version:	2
Last update:	19/03/2021
Review date:	01/03/2022

Breathworks Safeguarding adults policy

Breathworks Foundation & Breathworks CIC

16-20 Turner Street

Manchester

M4 1DZ

0161 8341110

info@breathworks.co.uk

www.breathworks-mindfulness.co.uk

Registered charity (Breathworks Foundation) no: 1131851

Company (Breathworks CIC) no: 05016384

Introduction

Breathworks is a mindfulness teacher training and programme delivery organisation based in Manchester, UK, with a global network of teachers and trainers. Our organisation was born out of the Founders, all of whom are ordained Buddhists, intentions to work creatively and compassionately for the good of the world.

This policy is an expression of our organisations values, to help others and to do so with integrity. The policy refers to law and good practice mainly as defined in England and Wales.

The purpose of this policy

This document is for employees, volunteers and associate teachers/trainers.

It aims to provide

- Protection for adults attending Breathworks activities who may be “at risk” or vulnerable, and
- Protection for employees, volunteers and associate teachers/trainers working with them.

It sets out

- information and practices contributing to the prevention of harm of ‘adults at risk’, previously known as ‘vulnerable adults’
- a course of action to be followed if harm is suspected.

Our Mission

To alleviate human suffering by helping people living with pain, stress and illness to live happier, healthier lives.

Our Values

We care about:

- Helping others who are suffering from pain, stress and illness.
- Being experts in mindfulness and compassion, drawing with confidence on our experience and knowledge.
- Being authentic and acting with integrity.
- Being kind, generous, positive and present in the here and now.
- Being enthusiastic and energetic, and yet calm.
- Being professional in all our activities and interactions with others.

Our activities include courses for those with long term health conditions, which may be pain, illness or stress. We also run courses onsite within organisational workplaces with a focus on preventative

health and promoting wellbeing. We run courses for people in person, online and in a residential retreat setting. Although we do not run activities specifically for those with mental illness or addiction, we recognise that people who may be vulnerable in these ways do attend our events, courses and retreats.

The Trustees and Directors of Breathworks recognise their responsibility to safeguard adults who may be deemed to be “at risk” when involved in our activities. We do not run programmes for children and we don’t allow people under the age of 18 attend our events, courses or retreats.

Stanter Kandola is our Safeguarding officer. They are responsible for co-ordinating the protection of adults who may be at risk at Breathworks events.

Gill Parry is our Safeguarding Trustee. They are responsible for making sure Safeguarding is taken seriously by the Trustees and appears regularly on their agendas, ensuring the trustees comply with their Safeguarding obligations as required by the Charity Commission.

Who is an “adult”?

In the United Kingdom an “adult” is a person who has passed their 18th birthday.

Who is an “adult at risk”?

The UK Care Act 2014 defines such a person as “any person who is aged 18 years or over and at risk of abuse or neglect because of their needs for care and or support”; ie, they need care and support (whether or not the local authority is meeting any of those needs); and is experiencing, or at risk of, abuse or neglect; and as a result of those care and support needs, is unable to protect themselves from either the risk of, or the experience of, abuse or neglect”.

Adults who may be ‘at risk’ may also include those who

- have dementia
- have learning disabilities
- have mental health problems
- have drug, alcohol or substance dependency
- have physical or sensory disabilities
- have been bereaved, suffered grief and loss
- through age or illness are dependent on other people to help them
- live with domestic abuse
- are homeless
- are refugees or asylum seekers or
- for any reason may be considered not to have ‘mental capacity’. (See below.)

Whether or not a person is “at risk” or “vulnerable” in these cases will vary according to circumstances, and it should be noted that a person with a physical disability is not necessarily vulnerable or at risk, though they could be. Each case must be judged on its own merits.

What is ‘mental capacity’?

Whether a person has mental capacity is a matter of specialist assessment and not for us to make. However, it may be useful to know something about it.

Mental capacity is the ability to make a particular decision. An adult *may* be at risk if they are unable to make a decision due to illness, disability, poor mental health, dementia, a learning disability or something else that may impair their judgment.

A person may be deemed to be ‘without capacity’ if they cannot:

- understand the decision
- retain the information
- weigh up the information
- communicate their decision

About matters such as

- finance
- social care
- medical treatment

Vulnerability can be variable

Vulnerability and resilience can vary throughout a person's life. Many people are generally emotionally and psychologically stable in most aspects of their lives, but on occasion they may find themselves in a more vulnerable position, e.g. after a bereavement, serious illness, or breakdown of a relationship. They may be new to the practice of meditation and their practice may make them more sensitive.

Protecting those with psychological disorders

We are aware that those attending our activities include adults experiencing mild psychological disorders.

We recognise that as Mindfulness Teachers we do not have the professional skills to diagnose or help people with psychological disorders and that they may not be helped solely by the practice of mindfulness. In such cases we may need to advise them to seek professional help.

Where we believe a person to be at risk of suicide or self-harm, or to pose a risk to others, we will alert our Safeguarding officer, who will refer to local mental health services and/or the police as appropriate.

Protecting those with psychological disorders - online

Our activities are increasingly taught using online media. In person, it is *relatively* easy to notice where a person may have compromised mental health; online it is much more difficult.

We recognise that among those seeking *individual* online guidance from members of the Breathworks teaching team there may be some reporting meditation experiences which are an indication of serious psychological disorder.

In engaging in *individual* guidance online by email, blog, social media or text we will take great care if we believe they are at risk.

DBS checks (Disclosure and Barring Service)

The Charity Commission expects that anyone working for a charity, paid or volunteering, including trustees, will be DBS checked wherever they are eligible. Since the rules on eligibility are complicated and change from time to time, our Safeguarding officer will check at least annually with external Safeguarding experts and ensure everyone eligible for a DBS check has been checked within the previous five years.

We understand that the core team directly responsible for any Breathworks teaching activities or events specifically intended and advertised for adults likely to be more 'at risk' of mistreatment/manipulation must be DBS checked wherever eligible. In practice this means those attending residential Mindfulness for Health courses, Meditation Retreats, activities for those with depression or chronic pain and illness.

We will require anyone helping with such activities (paid or voluntary) who has not been DBS checked to be supervised at all times by someone who is DBS checked.

This does not apply to general activities which an adult with mental health difficulties (for example) may happen to attend.

What is 'abuse'?

'Abuse' is not a legal term, but covers a number of ways in which a person may be deliberately harmed (legally or illegally), usually by someone who is in a position of power, trust or authority over them, or *who may be perceived by that person to be in a position of power, trust or authority over them*; for example by Teacher or Supporter who is helping to run Breathworks activities. The harm may be physical, psychological or emotional, or it may exploit the vulnerability of the person in more subtle ways.

However, harm can also occur less consciously, through naivety, idealism or lack of awareness.

Types of abuse

The 2014 Care Act identifies nine types of abuse, all of which have a psychological/emotional aspect.

1. physical abuse
2. sexual abuse
3. neglect and acts of omission
4. organisational abuse
5. self-neglect
6. modern slavery
7. domestic abuse
8. discriminatory abuse
9. financial or material abuse
10. Psychological abuse

Types of abuse, in more detail

Physical

- Bodily assaults resulting in injuries e.g. hitting, slapping, pushing, kicking, misuse of medication, restraint or inappropriate sanctions.
- Bodily impairment e.g. malnutrition, dehydration, failure to thrive
- Medical/healthcare maltreatment

Sexual

- Rape, incest, acts of indecency, sexual assault
- Sexual harassment or sexual acts to which the person has not consented, or could not consent or to which they were pressured into consenting.
- Sexual abuse might also include exposure to pornographic materials, being made to witness sexual acts; also sexual harassment, with or without physical contact.
- Sexual contact of any kind with anyone under 16 is a crime. In the case of Order members "position of trust" law means sexual contact of any kind with anyone under 18 could be considered a crime.

Abuse through neglect

- Ignoring medical or physical care needs
- Failure to provide access to appropriate health, social care or educational service
- The withholding of the necessities of life, such as medication, adequate nutrition and heating

Organisational abuse

- Neglect or abuse within an institution (eg.hospital/care home) or care provided in own home.
- One-off incident or continuing ill-treatment
- Poor professional practice, policies or structure of an organization

Self neglect

- Alcohol abuse
- Hoarding
- Drug abuse

Modern slavery

Examples: working as housemaids, in brothels, cannabis farms, nail bars and agriculture against their will, unpaid

Some possible signs

- Physical appearance, inappropriate clothing.
- Isolation, not being allowed to travel alone; restricted freedom of movement.
- Poor living conditions, few possessions, no ID documents
- Unusual travel times – being dropped off early morning or late at night

Modern Slavery Helpline (UK) 0800 0121 700

Domestic abuse

- Physical, psychological, sexual and financial abuse.
- 'Honour'-based violence or forced marriage
- Involving intimate partner or family member
- Female Genital Mutilation (FGM)
- 16 year-olds can be defined as suffering domestic abuse.

Some signs and symptoms of domestic abuse

- Visible injuries or unexplained marks, scars or injuries
- Making 'excuses' for injuries
- Controlling and/or threatening relationships

Discriminatory abuse

- Discrimination including gender, sexual orientation, race, disability, age, skin colour, language, culture, religion or belief, or politics
- Harassment
- Loss of self-esteem
- Not being able to access services or being excluded

Financial or material abuse

- Misuse or theft of money
- Exploitation, pressure in connection with wills, property or inheritance
- Unexplained withdrawal of large sums of money
- Personal possessions going missing from home
- Extraordinary interest and involvement by the family/carer or friend in an individual's assets

Psychological/emotional

- Threats of harm, controlling, intimidation, coercion, harassment, verbal abuse, enforced isolation or withdrawal from services or supportive networks.
- Humiliation
- Bullying, shouting or swearing

Signs of abuse

Physical

NB Ageing processes can cause changes which are hard to distinguish from some aspects of physical assault e.g. skin bruising can occur due to blood vessels becoming fragile.

- A history of unexplained falls or minor injuries
- Bruising in well-protected areas, or clustered from repeated striking
- Finger marks
- Burns of unusual location or type
- Injuries found at different states of healing
- Injury shape similar to an object
- Injuries to head/face/scalp
- History of moving from doctor to doctor, or between social care agencies; reluctance to seek help
- Accounts which vary with time or are inconsistent with physical evidence
- Weight loss due to malnutrition; or rapid weight gain
- Ulcers, bed sores and being left in wet clothing
- Drowsiness due to too much medication; or lack of medication causing recurring crises/hospital admissions

Sexual

- Disclosure or partial disclosure (use of phrases such as 'It's a secret')
- Medical problems, e.g. genital infections, pregnancy, difficulty walking or sitting
- Disturbed behaviour e.g. depression, sudden withdrawal from activities, loss of previous skills, sleeplessness or nightmares, self-injury, showing fear or aggression to one particular person, inappropriately seductive behaviour, loss of appetite or difficulty in keeping food down.
- Unusual circumstances, such as, for example, two people found in a toilet/bathroom area, one of them distressed.

Signs of psychological or emotional vulnerability

- Isolation
- Unkempt, unwashed appearance; smell
- Over meticulousness
- Inappropriate dress
- Withdrawnness, agitation, anxiety; not wanting to be touched
- Change in appetite
- Insomnia or need for excessive sleep
- Tearfulness
- Unexplained paranoia; excessive fears
- Low self-esteem
- Confusion

Signs of neglect

- Poor physical condition
- Clothing in poor condition
- Inadequate diet
- Untreated injuries or medical problems
- Failure to be given prescribed medication
- Poor personal hygiene

Signs of financial or material vulnerability

- Unexplained or sudden inability to pay bills
- Unexplained or sudden withdrawal of money from accounts
- Disparity between assets and satisfactory living conditions

- Unusual level of interest by family members and other people in the vulnerable person's financial assets

Signs of discrimination

- Lack of respect shown to an individual
- Substandard service offered to an individual
- Exclusion from rights afforded to others, such as health, education, criminal justice

Other signs of abuse

- Controlling relationships
- Inappropriate use of restraint
- Sensory deprivation e.g. spectacles or hearing aid
- Denial of visitors or phone calls
- Failure to ensure privacy or personal dignity
- Lack of personal clothing or possessions

People who might abuse

Abuse may happen anywhere and may be carried out by anyone, eg:

- Employees, volunteers or Associate Teachers/Trainers, whether financially supported or volunteering
- Parents
- People you consider good and trusted friends
- Informal carers, family, friends, neighbours
- Other users or Breathworks facilities

If you have a concern

All allegations or suspicions should be taken seriously and reported to Breathworks Safeguarding officer: Stanter Kandola stanter@breathworks.co.uk

What to do if an adult alleges abuse

Do

- stay calm.
- listen patiently.
- reassure the person they are doing the right thing by telling you.
- clarify issues of confidentiality early on. Make it clear that you may have to discuss their concerns with others, on a strictly need-to-know basis, if at all possible with their permission. (See below.)
- explain what you are going to do.
- write a factual account of what you have seen and heard, immediately.

Do not

- appear shocked, horrified, disgusted or angry.
- press the individual for details.
- make comments or judgments other than to show concern. Your responsibility is to take them seriously, not to decide whether what they are saying is true.
- promise to keep secrets.
- confront the alleged perpetrator.
- risk contaminating the evidence by investigating matters yourself.

What to do next

- Your first concern is the safety and wellbeing of the person bringing the allegation. Do not be distracted from this by loyalty to the person who has been accused or your desire to maintain the good name of Breathworks.

- If you are not the Safeguarding officer the first thing you should do is to tell the Safeguarding officer. However, if this is not possible and you think the person is in immediate danger phone social services or police straight away. A telephone referral should be confirmed in writing within 24 hours.
- Every person has a legal right to privacy under the International Convention on Human Rights and data protection legislation; therefore if possible you need to get the person's consent to share the information they have given you, within the limits described here and below.
- However, if necessary it is legal to pass on information without their consent if you believe they are at risk of significant harm.
- If you are not the Safeguarding officer, tell the Breathworks Safeguarding officer *only*. They will co-ordinate the handling of the matter on behalf of the charity's trustees.
- The Safeguarding officer can seek advice and guidance from SAFE UK of which Breathworks are members.
- Meanwhile, make detailed factual notes about the conversation/concern/incident as soon as possible, including time, date and location. Give them to the Safeguarding officer. If you are the Safeguarding officer, keep notes yourself and keep them either locked away or password-protected.
- No member of staff, volunteer or associate trainer/teacher should attempt to investigate a criminal allegation. This is the job of the police and to attempt this could prejudice a court case and put the person in danger.

Finally, if the allegation may be criminal, without giving personal details of those involved you should inform the CEO who will email the Charity Commission to inform them that there has been a serious Safeguarding incident, that your charity has addressed it according to your Safeguarding policies and the police have been informed. <https://www.gov.uk/guidance/how-to-report-a-serious-incident-in-your-charity>

Who else needs to know?

Confidentiality, sharing information only on a need-to-know basis, is very important. Under data protection legislation nobody has a right to know about the matter – except, for Safeguarding purposes, with those in a position to prevent further harm, and your CEO and Chair, who holds ultimate responsibility for the governance of the charity. For example, where there is a criminal allegation against a trainer it would be justifiable for the Safeguarding officer, Chair and CEO to know about it. Normally it is illegal to share personal information about a person without that person's permission in writing; however, where there are Safeguarding concerns it may be necessary, and therefore legally justifiable, to report without consent, for the prevention of harm.

This is not a matter of concealment, but is intended to protect all concerned from further harm.

Secure, confidential record-keeping

We understand our responsibility for secure and careful record-keeping. Our Safeguarding officer will keep a detailed log of all Safeguarding-related incidents as well as conversations, actions and the reasoning behind them. These will be stored on the charity's computer system, in a password protected section accessible only to the Safeguarding officer and one or two others approved by our trustees (this is currently the CEO and Safeguarding Trustee). If this is not practicable, they will be written on a computer, printed out and the paper copies stored in a locked cabinet, box or drawer accessible only to the Safeguarding officer and one or two others approved by our trustees. In this

case the computer files must be deleted promptly. We understand that such records must not be stored on individuals' own private computers.

We also understand that under data protection law we need to word our records in a form we would be happy for the subjects to read if they ask to, as is their legal right. This means notes should be factual and respectful, free of interpretations and value-judgements.

Keeping confidential records

We understand that because many abuse cases come to light 30 or more years later our insurers may require us to keep our logs for up to 50 years.

If our charity closes down, we will designate a suitable storage of such data.

Reviewing our policies annually

All our Safeguarding policies will be reviewed by the trustees and Safeguarding officer annually and the review recorded in the minutes of their meetings. Updated policies will be shared with Associate teachers/trainers, Staff and any other identified stakeholders.

Breathworks Foundation & Breathworks CIC

Chair's name and email address

Dh Prasadu, prasadu@hotmail.co.uk

Chair's signature

DocuSigned by:

14EF0599AFA0498...

Date 3/19/2021

Safeguarding officer's name and email address

Stanter Kandola, stanter@breathworks.co.uk

Safeguarding officer's signature:

DocuSigned by:

A4C07BC7401F424...

Date 3/23/2021

Safeguarding Trustee name and email address

Gill Parry gill.parry@rocketmail.com

Safeguarding trustee signature

DocuSigned by:

984FEB4EAB5743A...

Date 3/19/2021