

Padmaloka Buddhist Retreat Centre

Safeguarding adults policy and guidelines 2019

Padmaloka
Lesingham House
Surlingham
NR14 7AL
Phone 01508 538112
Email info@padmaloka.org.uk
Web address <https://padmaloka.org.uk>
Registered charity no: 273850

The purpose of this policy

This document is for Friends, Mitras and Order members involved in Padmaloka activities (and those of any outreach groups run by this centre) as volunteers, leaders or teachers.

It aims to provide

- Protection for adults attending Padmaloka activities who may be “at risk” or vulnerable, and
- Protection for Friends, Mitras and Order members 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 values

Although we do not run activities specifically for those with mental illness or addiction, and our activities may be unsuitable for people who suffer from mental illness, we recognise that people who may be vulnerable in these ways do occasionally attend our events.

The trustees of Padmaloka retreat centre recognise their responsibility to safeguard adults who may be deemed to be “at risk” visiting our Buddhist centre or involved in Buddhist Centre activities.

Prajnahridaya is our Safeguarding officer. He is responsible for the protection of children and adults who may be at risk at Padmaloka. (See also our Safeguarding Children policy.)

Manjusiha is our Safeguarding Trustee. He is 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”?

This is not currently well defined. However, the following is one widely-used definition:

A person aged 18 or over, who needs, or may need, community care services because they are frail

or have a learning disability, physical disability, sight or hearing disability or mental health issues; and cannot (or may not be able to) care for themselves, or take steps to protect themselves from significant harm or exploitation.

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
- have through age or illness are dependent on other people to help them
- live with domestic abuse
- are homeless
- are refugees or asylum seekers
- 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

As is made clear above in the reference to the vulnerability of those who have suffered grief and loss, we recognise that many people who are generally emotionally and psychologically stable in most aspects of their lives may on occasion find themselves vulnerable or at risk. This may be because of illness, relationship breakdown or bereavement, or because their practice of meditation or Buddhism has made them more sensitive and self-aware, particularly if they are new to Buddhism.

For example, we will bear in mind that a person who is emotionally vulnerable for any reason may not be able to make balanced decisions regarding giving money or becoming more involved with Triratna, or entering into intimate relationships, whether friendship or relationships which are more romantic or sexual in nature. We will take great care to help each other avoid exploiting people in such everyday situations of vulnerability.

We will take care to be aware of the needs of individuals and support them through communication in maintaining their physical, material and emotional wellbeing. Among the Padmaloka community, we will also support one another to be aware of the wellbeing of individuals and avoid the risk of exploiting such vulnerability, whether consciously or unconsciously. Concerns are shared and advice can be sought from the safeguarding officer.

Protecting those who are emotionally or psychologically vulnerable

Our retreats are only suitable for those who are able to effectively manage their own emotional wellbeing during their time at Padmaloka. Whilst retreat conditions and meditation can often be of benefit to one's mental wellbeing, our retreats are also context, where individuals share accommodation and engage in long periods of communal silence, personal discussion, intensive seated meditation and ritual. Such retreats are often unsuitable for those who are emotionally vulnerable or have diagnosed mental health conditions, such as depression or anxiety.

When an individual books on a retreat, we ask them to inform us if there are any emotional or mental health issues which could affect their participation in the retreat.

If an individual states that they suffer from mental health issues, we are likely to contact them to further clarify the suitability of the retreat for them before we accept their booking. If the individual is under medical supervision, for example, we may require a recommendation from their doctor, before allowing them to attend the retreat. We may also require a recommendation from a local Order Member who knows the individual well and is familiar with the retreat conditions at Padmaloka.

If we are confident the individual can manage their emotional wellbeing and we can make reasonable adjustments to further support the individual, while they are here (such as offering a single room, where available), we will do so.

If however we are not confident that the retreat would be suitable for the individual and that attending the retreat may put them and their health at risk, we would not accept the booking. The decision, as to whether to accept someone on retreat is made by the retreat leader, where appropriate in communication with the safeguarding officer. The safeguarding officer may seek further advice from the Triratna Safeguarding team.

Padmaloka may not accept bookings on retreats for other reasons, e.g. the level of experience not being suitable, a concern that someone may not be able to observe certain retreat conditions etc. This will be clearly communicated with the individual at the time of booking.

We recognise that as Buddhists 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 kindness of Buddhists.

In such cases we may need to advise them to seek professional help.

We are aware that for people with serious psychological disorders, traditional Buddhist practices involving recognition of the illusion of self could be extremely dangerous. We may need to encourage them to avoid such practices and instead focus on the calming of body and mind, or to avoid meditation altogether, during periods of relapse.

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 centre Safeguarding officer, who will refer to local mental health services and/or the police as appropriate, and consult with the Triratna Safeguarding Team if necessary.
safeguarding@triratnadevelopment.org

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 such as Thirtyone:eight (www.thirtyoneeight.org) and ensure everyone eligible for a DBS check has been checked within the previous five years.

We understand that the core team (Mitras or Order members, paid or voluntary) directly responsible for any Padmaloka activities or events specifically intended and advertised for adults likely to be more 'at risk' of mistreatment/manipulation must be DBS checked wherever eligible. At present we do not run any such activities and so DBS checks are not necessary, but we will keep this under review in case this should change

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.

Managing those who pose a risk to others

There are cases where it is known that a person attending our activities is likely to pose a risk to others (for example, a person who is known to have a previous criminal conviction for sexual or other violent offences, or someone who is under investigation for possible sexual or other violent offences).

Such a person will be asked by the Safeguarding officer to negotiate a behavior contract setting out the terms of their continued participation in [name of Triratna Buddhist centre/enterprise] activities within agreed boundaries. (See the document 'Managing those who pose a risk'.) Where it is felt that the charity does not have the resources to manage this relationship safely, we reserve the right to ask the person not to attend our activities.

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 a Friend, Mitra or Order member who is helping to run Padmaloka

activities for those newer to such 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 (e.g. 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 (See the document 'Living in spiritual friendship with trans, gender-diverse and non-binary people', available later in 2019.)
- 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 (See the Triratna Model policy on bullying and harassment, "Living with dignity" available later in 2018.)

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:

- Order members, Mitras and Friends, whether financially supported or volunteering
- Parents
- People you consider good and trusted friends
- Informal carers, family, friends, neighbours
- Other users or tenants of Padmaloka
- Strangers or visitors to Padmaloka

If you have a concern

All allegations or suspicions should be taken seriously and reported to Padmaloka's Safeguarding officer: The Manager

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 Triratna or your centre.
- 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 Padmaloka Safeguarding officer only. They will co-ordinate the handling of the matter on behalf of the charity's trustees.
- The Safeguarding officer may contact the Triratna Safeguarding team to discuss what to do next: safeguarding@triratnadevelopment.org
- Meanwhile, make detailed factual notes about the discussion 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.
- Confidentiality, sharing information only on a need-to-know basis, is very important. Nobody else has a right to know about the matter. This is not a matter of concealment, but is intended to protect all concerned. It will also protect your sangha from fear, rumour and disharmony which will make it much harder to deal with the matter effectively without causing further harm.
- No sangha member 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 email the Charity Commission 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 Chair, who holds ultimate responsibility for the governance of the charity. For example, where there is a criminal allegation against a mitra it would be justifiable for the Safeguarding officer, Chair and mitra convenor 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. It will also protect your sangha from fear, rumour and disharmony which will make it much harder to deal with the matter effectively without causing 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, in a password protected section accessible only to the Safeguarding officer and one or two others approved by our trustees. 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 for at least 50 years

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. (This is a requirement of the UK's Buddhist Insurance Scheme.)

If our charity closes down, we will give our records to another Triratna Buddhist centre/charity to keep with their own confidential Safeguarding logs.

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.

Padmaloka Retreat Centre

Chair's name and email address

Dr. Sanghaniseha chairman@padmaloka.org.uk

Chair's signature



Safeguarding officer's name and email address

Dr. Prajnahridaya manager@padmaloka.org.uk

Safeguarding officer's signature



Date

13th November 2019

This document will be reviewed annually by the Safeguarding officer and trustees of Padmaloka.

Published 2019 by the trustees of FWBO (Surlingham)

This policy is adapted by Prajnahridaya, the Padmaloka safeguarding officer, based on a model document published January 2019 by Triratna's Safeguarding team, part of the Triratna Ethics Kula. safeguarding@triratnadevelopment.org

