



Dhanakosa Buddhist Retreat Centre

Safeguarding Policy 2022

Dhanakosa Buddhist Retreat Centre
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Safeguarding Officer

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Introduction

This policy is an expression of the first ethical precept taught by the Buddha: to protect living beings from harm. It is based on law and good practice in Scotland.

Dhanakosa does not accept bookings from or on behalf of people under the age of 18. Children visiting the centre should be accompanied by a parent or carer in whose care they remain at all times.

At Dhanakosa we do not set out to work with adults at risk of harm and, would not normally accept a booking from someone who would be considered at risk of harm. However, we recognise that adults who are considered at risk of harm, or who find themselves in a vulnerable state, may nevertheless be on retreat.

The purpose of this policy

This policy is for Friends, Mitras and Order members involved in Dhanakosa Buddhist Retreat Centre activities as employees, volunteers or retreat team members.

It aims to provide

- Protection for all adults attending Dhanakosa Buddhist Retreat Centre activities, including those who may be at risk of harm, and
- Protection for Friends, Mitras and Order members working with them.

It sets out

- Information and practices contributing to the prevention of harm to adults.
- What to do if harm is suspected.

Our values

We have a duty of care to prevent or address harm to all adults in the course of our activities, including adults who may be at risk of harm.

Although we do not run retreats or other activities specifically for those with mental illness or addiction, we recognise that people who may be vulnerable in these ways do attend our retreats.

The trustees of Dhanakosa Buddhist Retreat Centre recognise their responsibility to Safeguard adults, including those who may be at risk of harm visiting or involved in Dhanakosa Buddhist Retreat Centre activities, as set out by the Scottish Charity Regulator in its latest guidance:

<https://www.oscr.org.uk/guidance-and-forms/managing-a-charity-guidance/safeguarding-guidance-keeping-vulnerable-beneficiaries-safe/>

Subhanaya is our Safeguarding officer. They are responsible for co-ordinating the protection of children and adults at Dhanakosa Buddhist Retreat Centre.

Amoghavira 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 Scottish Charity Regulator.

Who is an adult?

For the purposes of this policy an “adult” is a person who has passed their 18th birthday regardless of the legal age of majority in any jurisdiction.

Who is an adult “at risk of harm” or with “care and support needs”?

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 formally ‘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 of harm" and/or has "care and support needs in these cases will vary according to circumstances, and it should be noted that a person with a physical disability is not necessarily at risk, though they could be. Each case must be judged on its own merits.

Definitions of abuse in adults

See appendix 1.

Signs of abuse in adults

See appendix 2.

What is 'mental capacity'?

See appendix 3.

Vulnerability can be variable

Vulnerability and resilience can vary throughout a person's life. Many people who are generally emotionally and psychologically stable in most aspects of their lives and would not be formally classified as vulnerable or 'at risk' may 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.

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.

Protecting those with psychological disorders

We are aware that those attending our retreats include adults experiencing psychological disorders ranging from mild to severe.

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 dangerous. We may need to encourage them in traditional Buddhist practices involving the calming of body and mind, or to avoid meditation – altogether, or during periods of relapse.

Where we believe a person to be at risk of self harm or suicide we will encourage them to contact their GP, mental health team or to go to the accident and emergency department of the local hospital. If necessary we will make the contact on their behalf, with their permission. We will consult with Triratna's ECA Safeguarding Team if necessary: safeguarding@triratna.community

Where we consider there is immediate danger of a person harming themselves or others we will contact emergency services, without their permission if necessary.

Managing those who pose a risk to others

There may be cases where it is known that a person wishing to attend our retreats 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, who is on the UK Sex Offender Register, or someone who is under investigation for possible sexual or other violent offences).

Such a person will be asked by the Safeguarding officer to agree a behaviour contract setting out the terms of their participation in a retreat within agreed boundaries and based on a risk assessment carried out by an Order member with professional experience in risk assessment. If our Safeguarding officer is not qualified to do this we will ask for help from the ECA Safeguarding team or another professionally qualified Order member.

Where it is felt that the charity does not have the resources to manage this relationship safely, we reserve the right to refuse or cancel the retreat booking.

Where necessary we will consult the ECA Safeguarding team: safeguarding@triratna.community.

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 Dhanakosa Buddhist Retreat Centre 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

See Appendix 1.

Signs of abuse

See Appendix 2.

If you have a concern

All allegations or suspicions should be taken seriously and reported to our Safeguarding officer:
Subhanaya - safeguarding.dhanakosa@protonmail.com

If a person over 18 alleges abuse

We understand that we need to

- stay calm.
- listen patiently.
- reassure the person they are doing the right thing by speaking up.
- clarify issues of confidentiality early on. We will make it clear we 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 we are going to do.
- write a factual account of what we have seen and heard, immediately.
- we may also ask the person reporting the incident to read and write comments on this account, in order to ensure a correct understanding of what was said.

We will do our best to avoid

- appearing shocked, horrified, disgusted or angry.
- pressing the individual for details.
- making comments or judgments other than to show concern. Our responsibility is to take them seriously, not to decide whether what they are saying is true.
- promising to keep secrets.
- confronting any alleged perpetrator.
- risking contaminating the evidence by investigating matters ourselves.

What we will do next

- We understand that our first concern must be the safety and wellbeing of this person and that we must not be distracted from this by loyalty to the person who has been accused or a desire to maintain the good name of Triratna or our charity.
- If the person receiving the disclosure is not our Safeguarding officer, they must tell the Safeguarding officer *only*, who will co-ordinate the handling of the matter on behalf of the charity's trustees. However, if the Safeguarding officer is not immediately available the matter should be communicated to the Chair of the charity, or the Safeguarding trustee. If the person may be in immediate danger the Safeguarding officer, Chair, Safeguarding trustee or person receiving the disclosure will phone social services or police straight away. A telephone referral will be confirmed in writing within 24 hours.

If necessary, our Safeguarding officer will contact Triratna's ECA Safeguarding team for advice: safeguarding@triratna.community

- We understand that every person has a legal right to privacy under the International Convention on Human Rights and data protection legislation; therefore if possible we need to get the person's consent to share the information they have given us, within the limits described here and below.
- If the adult alleging abuse is not formally vulnerable or 'at risk' and their complaint may be criminal, it is up to them to report to the police if they wish to; though we will offer them help and support to do this.
- If the person is formally vulnerable or 'at risk' we may report on their behalf, though with their permission if possible.
- Whether or not formally vulnerable or 'at risk', if the person may be in immediate danger the Safeguarding officer, Chair, Safeguarding trustee or person receiving the disclosure will phone social services or police straight away. A telephone referral will be confirmed in writing within 24 hours.

If necessary, our Safeguarding officer will contact Triratna's ECA Safeguarding team for advice: safeguarding@triratna.community

- It may be necessary, and therefore legally 'reasonable', to pass on information without the adult's consent if they may be at immediate risk of harm once they leave your company and/or a crime has been or is about to be committed; also if what is disclosed indicates that there is also a risk of harm to a child.

- The person receiving the disclosure will make detailed factual notes about the conversation/concern/incident as soon as possible, including time, date and location, and pass them to the charity's Safeguarding officer. (See 'Secure, confidential record-keeping' below.) As far as possible what the person has said should be recorded in their own words, as these could be used in court.
- We understand that no sangha member should attempt to investigate a criminal allegation, that this is the job of the police and that to attempt this could prejudice a court case and put the parties in danger.

Who else needs to know?

We understand that confidentiality, sharing information only on a need-to-know basis, is very important. Under data protection legislation nobody has a right to know about a case – except, for Safeguarding purposes, those in a position to prevent further harm, and our Chair of Trustees, who holds ultimate responsibility for the governance of the charity.

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 should not be kept on any computer, but on an external hard drive or memory stick. To guard against loss in case the files, hard drive or memory stick become corrupted these will be backed up to another hard drive or memory stick and/or printed off. Any memory sticks, hard drives and paper copies will be stored in a locked cabinet, box or drawer accessible only to the Safeguarding officer and one or two others approved by our trustees, eg the Chair and Safeguarding trustee.

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. (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

This document was adopted by the trustees of Dhanakosa Buddhist Retreat Centre on 3.5.22 and will be reviewed and updated by the Safeguarding officer and trustees Dhanakosa Buddhist Retreat Centre, on or before 3.5.23.

(Updated 28.7.22 following ECA Safeguarding Team model document updates – SN)

Dhanakosa Buddhist Retreat Centre

Centre Director's name and email address: Nayaka – nayaka@dhanakosa.org

Chair's signature: pp. Subhanaya

Chair of Trustees and Safeguarding Trustee: Amoghavira – amoghavira@gmail.com

Chair of Trustees and Safeguarding Trustee signature: Amoghavira

Safeguarding officer's name and email address: Subhanaya – abiluthmann@gmail.com

Safeguarding officer's signature: Subhanaya

Date: 3rd May 2022

Appendices

1. Definitions of abuse in adults

As defined in the UK Care Act 2014, Safeguarding duties apply to an adult who

- has need for 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.

Physical abuse – including assault, hitting, slapping, pushing, misuse of medication, restraint or inappropriate physical sanctions.

Domestic violence – including psychological, physical, sexual, financial, emotional abuse; so called 'honour-based' violence.

Sexual abuse – including rape, indecent exposure, sexual harassment, inappropriate looking or touching, sexual teasing or innuendo, sexual photography, subjection to pornography or witnessing sexual acts, indecent exposure and sexual assault or sexual acts to which the adult has not consented or was pressured into consenting.

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

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

Modern slavery – encompasses slavery, human trafficking, forced labour and domestic servitude. Traffickers and slave masters use whatever means they have at their disposal to coerce, deceive and force individuals into a life of abuse, servitude and inhumane treatment.

Discriminatory abuse – including forms of harassment, slurs or similar treatment; because of race, gender and gender identity, age, disability, sexual orientation or religion.

Organisational abuse – including neglect and poor care practice within an Institution or specific care setting such as a hospital or care home, for example, or in relation to care provided in one's own home. This may

range from one off incidents to on-going ill-treatment. It can be through neglect or poor professional practice as a result of the structure, policies, processes and practices within an organisation.

Neglect and acts of omission – including ignoring medical, emotional or physical care needs, failure to provide access to appropriate health, care and support or educational services, the withholding of the necessities of life, such as medication, adequate nutrition and heating.

Self-neglect – this covers a wide range of behaviour neglecting to care for one's personal hygiene, health or surroundings and includes behaviour such as hoarding. Incidents of abuse may be one-off or multiple, and affect one person or more.

2. Signs of abuse in adults

Physical abuse

- History of unexplained falls, fractures, bruises, burns, minor injuries.
- Signs of under or over use of medication and/or medical problems left unattended.
- Any injuries not consistent with the explanation given for them
- Bruising and discolouration - particularly if there is a lot of bruising of different ages
- and in places not normally exposed to falls, rough games etc.
- Recurring injuries without plausible explanation
- Loss of hair, loss of weight and change of appetite
- Person flinches at physical contact &/or keeps fully covered, even in hot weather;
- Person appears frightened or subdued in the presence of a particular person or people

Domestic violence

- Unexplained injuries or 'excuses' for marks or scars
- Controlling and/or threatening relationship including psychological, physical, sexual, financial, emotional abuse; so called 'honour-based' violence and Female Genital
- Mutilation.

Sexual abuse

- Pregnancy in a woman who lacks mental capacity or is unable to consent to sexual intercourse
- Unexplained change in behaviour or sexually explicit behaviour
- Torn, stained or bloody underwear and/or unusual difficulty in walking or sitting
- Infections or sexually transmitted diseases
- Full or partial disclosures or hints of sexual abuse:
- Self-harming
- Emotional distress
- Mood changes
- Disturbed sleep patterns
- Psychological abuse
- Alteration in psychological state e.g. withdrawn, agitated, anxious, tearful
- Intimidated or subdued in the presence of a carer
- Fearful, flinching or frightened of making choices or expressing wishes
- Unexplained paranoia
- Changes in mood, attitude and behaviour, excessive fear or anxiety
- Changes in sleep pattern or persistent tiredness

- Loss of appetite
- Helplessness or passivity
- Confusion or disorientation
- Implausible stories and attention seeking behaviour
- Low self-esteem

Financial or material abuse

- Disparity between assets and living conditions
- Unexplained withdrawals from accounts or disappearance of financial documents or loss of money
- Sudden inability to pay bills, getting into debt
- Carers or professionals fail to account for expenses incurred on a person's behalf
- Recent changes of deeds or title to property
- Missing personal belongings
- Inappropriate granting and / or use of Power of Attorney

Modern slavery

- Physical appearance; unkempt, inappropriate clothing, malnourished
- Movement monitored, rarely alone, travel early or late at night to facilitate working hours
- Few personal possessions or ID documents
- Fear of seeking help or trusting people

Discriminatory abuse

- Inappropriate remarks, comments or lack of respect
- Poor quality or avoidance care
- Low self-esteem
- Withdrawn
- Anger
- Person puts themselves down in terms of their gender or sexuality
- Abuse may be observed in conversations or reports by the person of how they perceive themselves

Institutional Abuse

- Low self-esteem
- Withdrawn
- Anger
- Person puts themselves down in terms of their gender or sexuality
- Abuse may be observed in conversations or reports by the person of how they perceive themselves
- No confidence in complaints procedures for staff or service users.
- Neglectful or poor professional practice.

Neglect and acts of omission

- Deteriorating despite apparent care
- Poor home conditions, clothing or care and support.
- Lack of medication or medical intervention

Self-neglect

- Hoarding inside or outside a property
- Neglecting personal hygiene or medical needs

- Person looking unkempt or dirty and has poor personal hygiene
- Person is malnourished, has sudden or continuous weight loss and is dehydrated –
- constant hunger, stealing or gorging on food
- Person is dressed inappropriately for the weather conditions
- Dirt, urine or faecal smells
- Home environment does not meet basic needs (for example heating or lighting)
- Depression

3. What is 'mental capacity'?

Whether a person has mental capacity is a matter of specialist assessment by social and mental health services. 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