

The Windhorse Trust

Adult Safeguarding Policy

Windhorse Trust

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Introduction

The Windhorse Trust is a UK grant giving and loan making charity run by members of the Triratna Buddhist Order, making grants and loans to organisations and projects run by members of the Triratna Buddhist Order and Triratna Buddhist Community worldwide.

Triratna is a worldwide network of friends in the Buddhist life. This is for many of us a source of great richness, support and strength. However, it also carries a risk that we may fail to notice, question or act on behaviours of concern, out of naivety, loyalty to friends or lack of awareness, or an assumption that “it couldn’t happen here” or “they would never do a thing like that.”

This Windhorse Trust 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 England and Wales, where the charity is registered.

The purpose of this policy

Throughout this policy the term 'partner', 'partner project' or 'partner organisation' refers to any individual, group, project or organisation with whom the Windhorse Trust has a financial or professional relationship.

This Windhorse Trust policy is for Friends, Mitras and members of the Triratna Buddhist Order working for the Windhorse Trust as trustees, employees or volunteers.

It sets out the Windhorse Trust's Safeguarding values in relation to the protection of adults from harm, in its own activities and those of the partner organisations it funds.

It sets out:

- practices and procedures contributing to the prevention of abuse of adults.
- what to do if abuse is suspected.

Our values

The trustees of the Windhorse Trust recognise their responsibility to safeguard all adults, including those who may be at risk of harm or have care and support needs involved in the activities of the Windhorse Trust and its partners, as set out by the Charity Commission in its latest guidance: <https://www.gov.uk/guidance/safeguarding-duties-for-charity-trustees>.

John Linney(Prasannavira) is the Windhorse Trust's Safeguarding Officer. He is responsible for coordinating the protection of children and adults who may be at risk at in the activities of any organisation or project funded by the Windhorse Trust.

Michael Silver(Keturaja) is the Windhorse Trust's Safeguarding Trustee. He is responsible for making sure that Windhorse Trust trustees maintain awareness of their Safeguarding and comply with their Safeguarding obligations as required by the Charity Commission.

Safeguarding as a condition of Windhorse Trust funding

As a condition of funding the Windhorse Trust will require its partners to indicate commitment to Safeguarding in the course of partners' own activities. This may be done in either of two ways:

1. The partner may adopt Triratna's Safeguarding Adults Model Policy
2. The partner may use its own adults safeguarding policy and code of conduct if they are of a similar or higher standard than Windhorse Trust's model documents.

Once accepted by the Windhorse Trust the partner's documents must be translated into local language/s so that they are easily accessible and useable by all those to whom it applies.

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”; that is, 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 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 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.

In particular, as a charity with beneficiaries who are resident in a property or properties owned by the charity housing a residential spiritual community or communities, Windhorse Trust's trustees, staff and volunteers will bear in mind that a beneficiary who is emotionally or mentally vulnerable for any reason may be at risk of abuse while resident in the property and may not be able to make balanced decisions regarding money.

They may also find it difficult to make balanced decisions about 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 with whom the Windhorse Trust engages, and those attending our partners' activities 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 or our partners 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 alert the Safeguarding Officer of that person's local Triratna centre/organisation, asking them to refer to local mental health services, and to the police if there is an immediate risk. We will consult with Triratna's ECA Safeguarding Team if necessary:

safeguarding@triratna.community.

DBS checks /security checks

If in any doubt about the requirements for DBS checks for Windhorse Trust staff our Safeguarding Officer will check with external safeguarding experts such as Thirtyone:eight (<https://thirtyoneeight.org/>) to ensure that anyone required to have a DBS check has been checked, and to the correct level. Thirtyone:eight also provides an online DBS checking service.

It is regarded as good practice that any DBS certificate should be less than three years old.

Managing those who pose a risk to others or to Windhorse Trust funds

There may be cases where a person with a criminal record asks to volunteer, work for the Windhorse Trust, we become aware that a trustee, staff member or volunteer has a criminal record, or a safeguarding risk to beneficiaries who are resident in a property or properties owned by the charity housing a residential spiritual community or communities becomes apparent.

In such a case our Safeguarding Officer will very confidentially consult the ECA Safeguarding team as to risk assessment and appropriate safeguarding measures. (See the document 'Managing those who pose a risk 2021'

https://thebuddhistcentre.com/system/files/groups/files/managing_those_who_pose_a_risk_in_triratna_2023.pdf.)

Such a person may be asked by our Safeguarding Officer to agree a behaviour contract setting out the terms of their continued participation in The Windhorse Trust's work, but where it is felt that The Windhorse Trust does not have the resources to manage this relationship safely, we reserve the right not to engage the person as a volunteer or staff member or make necessary arrangements to mitigate any risk. We note that the Charity Commission does not permit those with unspent convictions to serve as charity trustees.

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 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.

Definitions of abuse in adults

See appendix 1.

Signs of abuse in adults

See appendix 2

If you have a concern

All allegations or suspicions, related to the Windhorse Trust's own activities or those of partners should be taken seriously and reported to our Safeguarding Officer, John Linney.

What we will do if an adult 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 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 yourself.

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 (John Linney), they must tell the Safeguarding officer only, who will co-ordinate the handling of the matter on behalf of the Windhorse Trust trustees. However, if the Safeguarding Officer is not immediately available the matter should be communicated to the Chair of The Windhorse Trust (Mike Silver) or The Windhorse Trust Safeguarding Trustee (Michael Silver). 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.
- However, it may be necessary, and therefore legally 'reasonable', to pass on information without their consent if a child is at risk of harm, the adult is at immediate risk of harm once they leave your company and/or a crime has been or is about to be committed.
- Meanwhile, 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 nobody in The Windhorse Trust or a partner organisation 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.

Finally, in England and Wales we understand that we may need to make a Serious Incident Report to the Charity Commission: <https://www.gov.uk/guidance/how-to-report-a-serious-incident-in-your-charity>. We will consult the ECA Safeguarding team for guidance on this: safeguarding@triratna.community

Who else needs to know?

The Windhorse Trust's trustees, employees and volunteers 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 safeguarding matter – except, for safeguarding purposes, those in a position to prevent further harm, and the Chair of The Windhorse Trust or the partner organisation, who holds ultimate responsibility for the governance of the organisation. For example, where there is a criminal allegation against a mitra it could be justifiable for the Safeguarding Officer, Safeguarding Trustee, Chair and Mitra Convenor to know about it.

This is not a matter of concealment but is intended to protect all concerned from further harm. It will also protect our 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 can be stored on the charity's computer, only if 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, we will keep them 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 such 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. 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. (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 The Windhorse Trust Fund on 11th April 2024 and will be reviewed and updated by the Safeguarding Officer and trustees on or before 11th April 2025.

The Windhorse Trust

Chair's name and email address

Mike Silver (Keturaja), keturaja@windhorsetrust.org.uk

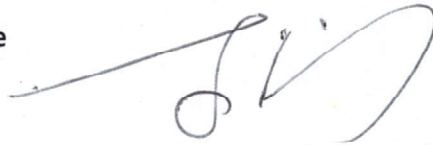
Chair's signature



Safeguarding Officer's name and email address

John Linney (Prasannavira), safeguarding@windhorsetrustsecure.org

Safeguarding Officer's signature



Date

11th APRIL 2024

This Windhorse Trust Adult Protection Policy is to be read in conjunction with the

- The Windhorse Trust Complaints policy ([https://www.windhorsetrust.org.uk/onewebmedia/Windhorse Trust Complaints Policy.pdf](https://www.windhorsetrust.org.uk/onewebmedia/Windhorse%20Trust%20Complaints%20Policy.pdf))
- The Windhorse Trust Child Safeguarding policy ([https://www.windhorsetrust.org.uk/onewebmedia/Windhorse Trust Child Protection Policy.pdf](https://www.windhorsetrust.org.uk/onewebmedia/Windhorse%20Trust%20Child%20Protection%20Policy.pdf))
- Triratna guidance document 'Caring for teenagers in Triratna 2021' ([https://thebuddhistcenter.com/system/files/groups/files/caring for teenagers in triratna 2021.pdf](https://thebuddhistcenter.com/system/files/groups/files/caring_for_teenagers_in_triratna_2021.pdf)) and,
- Triratna guidance document 'Managing those who pose a risk 2023' ([https://thebuddhistcentre.com/system/files/groups/files/managing those who pose a risk in triratna 2023.pdf](https://thebuddhistcentre.com/system/files/groups/files/managing_those_who_pose_a_risk_in_triratna_2023.pdf))
- Triratna guidance document 'Triratna Model Ethical Guidelines 2021' ([https://thebuddhistcenter.com/system/files/groups/files/triratna model ethical guidelines 2021.pdf](https://thebuddhistcenter.com/system/files/groups/files/triratna_model_ethical_guidelines_2021.pdf))

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