

breathworks



# Safeguarding Policy

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## Safeguarding Policy – Breathworks Foundation

Breathworks Foundation

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Registered charity (Breathworks Foundation) no: 1131851

### Introduction

Breathworks Foundation is a UK-based mindfulness charity dedicated to helping individuals manage pain, illness, and stress. This safeguarding policy outlines our commitment to protecting adults at risk, ensuring their safety in all our activities, including courses, retreats, and online programmes. It applies to all employees, volunteers, and associate teachers/trainers.

### Purpose

To safeguard adults at risk and provide clear procedures for staff and volunteers to prevent and respond to abuse or neglect.

### Legal and Regulatory Framework

Breathworks Foundation is committed to adhering to all relevant UK legislation and guidance pertaining to safeguarding. This includes, but is not limited to:

- **Charity Commission Guidance:** Outlines the responsibilities of charities and trustees in safeguarding individuals who come into contact with the charity.
- **Mental Capacity Act 2005:** Provides guidelines for making decisions on behalf of individuals who may lack the capacity to do so themselves.
- **Care Act 2014:** Establishes a framework for safeguarding adults at risk of abuse or neglect.
- **Online Safety Act 2023** - places legal duties on online platforms to protect users from harmful content. It aims to reduce online abuse, exploitation, and illegal activity — with specific provisions to safeguard both children and **adults at risk**, including protection from cyberbullying, harassment, and harmful digital content.

### Scope

Our services include mindfulness programmes delivered in person, online, and on retreats. We recognise participants may include adults with psychological, physical, or emotional vulnerabilities.

## Who is an 'adult at risk'?

According to the UK Care Act 2014, an adult at risk is defined as someone aged 18 or over who:

- Requires care and support due to age, disability, illness, or mental health conditions
- Is experiencing or at risk of abuse or neglect
- Is unable to protect themselves due to their care or support needs

Adults at risk may include (but are not limited to) individuals who:

- Have learning disabilities, mental health problems, or physical disabilities
- Have drug, alcohol, or substance dependencies
- Are elderly or frail
- Have dementia
- Are survivors of domestic abuse
- Are experiencing grief, trauma, or bereavement
- Are homeless or insecurely housed
- Are asylum seekers or refugees
- May lack mental capacity to make certain decisions

## What is 'Mental Capacity'?

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 judgement.

Whether a person has mental capacity in relation to a specific decision that needs to be made is a matter of specialist assessment, our staff do not assess mental capacity but may refer concerns to professionals.

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

especially in relation to matters such as

- financial or legal issues
- social care
- medical treatment.

## **Vulnerability can be variable**

Vulnerability and resilience can vary throughout a person's life, they may be temporary or long-term and vary with life circumstances. 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 this 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.

## **Online Safety**

Our activities are increasingly taught using online media. While in-person settings allow for more visible cues of distress or concern, online interactions present unique safeguarding challenges.

Breathworks is committed to aligning with the Online Safety Act 2023. We take reasonable steps to ensure our online environments are secure and that all participants — especially those who may be vulnerable — are protected from abuse, exploitation, or harassment.

Measures include:

- Using secure and GDPR-compliant platforms for course delivery
- Maintaining professional boundaries in online communications
- Monitoring participant wellbeing during live sessions, including use of breakout rooms
- Recommending professional help where concerning behaviour arises
- Escalating any instances of harmful, inappropriate, or digitally abusive behaviour to the Safeguarding Officer

We also acknowledge emerging risks posed by digital technologies, including misuse of AI to generate harmful content. Staff and volunteers are encouraged to report any digital safeguarding concerns without delay.

We recognise that among those seeking guidance from members of the Breathworks teaching team, there may be some reporting of meditation experiences which could be an indication of a serious psychological disorder. Although Breathworks team members are not trained to recognise such disorders, if it is reasonable to assume such, it shall be suggested that professional help be sought from their healthcare practitioner eg GP.

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. We shall implement the policy of having a *minimum of three people* in breakout rooms. We use secure platforms, follow data protection regulations, and monitor wellbeing online. Staff are advised to maintain professional boundaries and escalate concerns where needed

## DBS Checks

Eligible staff and volunteers, especially those working directly with at-risk groups, must hold valid DBS checks. Non-checked personnel must be supervised by someone who is.

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 to 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 always supervised 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.

## Roles and Responsibilities

**Trustees** ensure safeguarding is prioritised.

The **Safeguarding Trustee** (currently Gill Parry) oversees compliance.

The **Safeguarding Officer** (currently Stanter Kandola) is the primary contact for concerns.

**All staff and volunteers** must follow this policy and report any concerns to the Safeguarding Officer, or in their absence to the CEO.

To ensure effective implementation of this safeguarding policy, the following roles are defined:

- **Trustees:** Hold ultimate accountability for safeguarding within the organization.
- **Safeguarding Trustee:** Oversees safeguarding matters and ensures policy effectiveness.

- **Safeguarding Officer:** Primary point of contact for safeguarding concerns and maintains records.
- **Staff and Volunteers:** Must understand, adhere to the safeguarding policy, and participate in training.

### Training and Awareness

All personnel receive safeguarding policy at induction, with regular refreshers and role-specific updates when necessary

### Risk Assessment

We conduct specific assessments to mitigate safeguarding risks for all courses, with particular attention to activities involving vulnerable adults or residential settings.

### Whistleblowing

Breathworks Foundation encourages openness and accountability. Staff and volunteers should report any concerns related to safeguarding, misconduct, unethical or criminal behaviour, without fear of reprisal. Reports can be made to the Safeguarding Officer or, if necessary, to external authorities.

We recognize that whistleblowers may feel vulnerable when raising concerns, and we are committed to protecting individuals from any form of retaliation, discrimination, or disadvantage as a result of speaking up.

### 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 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 ten 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

### 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 Breathworks Teachers, the '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, or heating

### Organisational abuse

- Neglect or abuse within an institution (eg. hospital/care home) or care provided in their 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

Modern Slavery is an umbrella term covering trafficking, servitude and forced or compulsory labour, and affects between 10k and 100k people in the UK.

Examples can include forced exploitation in areas like household services, sexual exploitation,

cannabis farms, nail bars, agriculture, county lines drug trafficking, child exploitation etc.

### **Domestic abuse**

- Physical, psychological, sexual, and financial abuse.
- 'Honour'-based violence or forced marriage
- Involving intimate partner or family member
- Female Genital Mutilation (FGM)

### **Discriminatory abuse**

- Discrimination based upon 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**

#### **Possible signs of physical abuse**

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

#### Possible signs of sexual abuse

- 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.

#### Possible 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

#### Possible signs of Modern Slavery

- Isolation, seeming unfamiliar with their neighbourhood or workplace, having relationships that don't seem right, eg partner of a much older adult
- Restricted freedom of movement, not being allowed to travel alone, lack of ID, lack of knowledge of whereabouts or legal rights
- Reluctance to seek help, appearing frightened or reluctant to talk to strangers, avoiding eye contact, fear of violence to them or their family
- Physical appearance, eg looking malnourished or unkempt, wearing the same clothes each day, inappropriate clothing, few possessions, agitation
- Poor living conditions, in dirty and overcrowded accommodation, living and working at the same address
- Unusual travel arrangements, eg always dropped off at / collected from work, and very early morning or late at night

Any member of staff suspecting modern slavery should call the 24/7 Modern Slavery Helpline (UK) 0800 0121 700 for assistance and notify Breathworks Safeguarding officer.

#### **Possible signs and symptoms of domestic abuse**

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

#### **Possible 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

#### **Possible 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

#### **Possible signs of psychological or emotional abuse**

- 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

#### **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 facilitators

### 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](mailto: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

## Incident Reporting and Escalation

All allegations or concerns must be reported to the Safeguarding Officer. If someone is at immediate risk, contact emergency services. The CEO informs the Charity Commission when required.

- 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.
- 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.
- Please 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 CIC UK's Safeguarding Specialists - <https://www.safecic.co.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. The Safeguarding officer will keep their own notes 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 a person in danger.
- Finally, if the allegation may be criminal, you should inform the CEO (without giving personal details of those involved) who will in turn inform the Charity Commission that there has been a serious Safeguarding incident, and that Breathworks has addressed it according to Safeguarding policies and the police have been informed. More information is available at <https://www.gov.uk/guidance/how-to-report-a-serious-incident-in-your-charity>

## Partnership Working

We will collaborate with external agencies when safeguarding concerns arise. This includes:

- Building relationships with safeguarding boards, social services, and healthcare providers.

- Sharing relevant information within legal and ethical guidelines.
- Participating in multi-agency meetings when necessary.

### Record Keeping and Confidentiality

Safeguarding records are kept securely and shared only on a need-to-know basis. Records are respectful, factual, and retained as required by law.

Under data protection legislation nobody has a right to know about the matter except, for Safeguarding purposes, those in a position to prevent further harm, and your CEO and Chair, who hold ultimate responsibility for the governance of the charity. Normally it is illegal to share personal information about someone 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.

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 (currently the CEO and Safeguarding Trustee). Such records must not be stored on individuals' own private computers. Notes should be factual and respectful, free of interpretations and value-judgements, and in a form suitable for the subjects to read if they ask to, as is their legal right under data protection law.]

### Monitoring and Evaluation

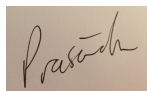
This policy is reviewed annually by the Trustees and Safeguarding Officer. Updated policies will be shared with Associate teachers/trainers, staff, and any other identified stakeholders.

### Breathworks Foundation

#### Chair's name and email address

Dh Prasadu, [prasadu@hotmail.co.uk](mailto:prasadu@hotmail.co.uk)

Chair's signature.



Date: 12.05.25

#### Safeguarding officer's name and email address

Stanter Kandola, [stanter@breathworks.co.uk](mailto:stanter@breathworks.co.uk)

**Safeguarding officer's signature:**

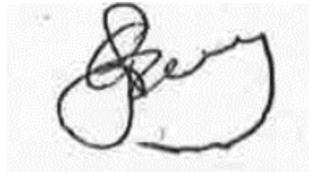
A handwritten signature in black ink that reads "Stanter Kandola". The letters are cursive and somewhat slanted to the right.

**Date 12.05.25**

**Safeguarding Trustee name and email address**

Gill Parry [gill.parry@rocketmail.com](mailto:gill.parry@rocketmail.com)

**Safeguarding trustee signature.**

A handwritten signature in black ink that appears to read "Gill Parry". The signature is highly stylized and cursive, with the first letter being a large, looped 'G'.

**Date 12.05.25**