

# Safeguarding Policy

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## Purpose

The purpose of this policy is to protect people, particularly children, adults at risk and beneficiaries of assistance, from any harm that may be caused due to their coming into contact with Karma Nirvana. This includes harm arising from:

- The conduct of staff or personnel associated with Karma Nirvana
- The design and implementation of Karma Nirvana's programmes and activities

The policy lays out the commitments made by Karma Nirvana, and informs staff and associated personnel<sup>1</sup> of their responsibilities in relation to safeguarding.

This policy does not cover:

- Sexual harassment in the workplace – this is dealt with under Karma Nirvana's Personal Harassment Policy and Procedure.
- Safeguarding concerns in the wider community not perpetrated by Karma Nirvana or associated personnel.

## What is safeguarding?

In the UK, safeguarding means protecting peoples' health, wellbeing and human rights, and enabling them to live free from harm, abuse and neglect. Safeguarding is an umbrella term that includes child and adult protection.

In our sector, we understand it to mean protecting people, including children and adults at risk, from harm that arises from coming into contact with our staff or activities. Karma Nirvana are committed to the safety and wellbeing of all of those who access our services as well as the staff, volunteers and trustees.

Further definitions relating to safeguarding are provided in the glossary below.

## Scope

- All staff contracted by Karma Nirvana
  - Associated personnel whilst engaged with work or visits related to Karma Nirvana, including but not limited to the following: survivor ambassadors; consultants; volunteers; contractors; patrons; journalists, celebrities and politicians.
    - Partner organisations and commissioned services are expected to have their own safeguarding policies in place, consistent with this policy, and to cooperate with Karma Nirvana on any safeguarding matters that arise
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## Relevant Legislation

This policy has regard to the following key legislation and statutory guidance: the Children Act 1989 and 2004; the Care Act 2014; the Domestic Abuse Act 2021; the Serious Crime Act 2015 (including provisions on female genital mutilation and forced marriage); the Modern Slavery Act 2015; the Anti-social Behaviour, Crime and Policing Act 2014; Working Together to Safeguard Children 2023; the Care and Support Statutory Guidance (updated); and the Charity Commission's guidance on safeguarding and protecting people.

This policy will be reviewed in line with any changes to relevant legislation or statutory guidance. Reference is also made to the Mental Capacity Act 2005; the Counter-Terrorism and Security Act 2015 (Prevent duty); and the Immigration Act 2014 (National Referral Mechanism provisions).

## Policy Statement

Karma Nirvana believes that everyone we come into contact with, regardless of age, gender identity, disability, sexual orientation, ethnic origin or religion/belief has the right to be protected from all forms of harm, abuse, neglect and exploitation. Karma Nirvana will not tolerate abuse and exploitation by staff or associated personnel.

This policy will address the following areas of safeguarding: child safeguarding, adult safeguarding, and protection from sexual harassment and abuse. These key areas of safeguarding may have different policies and procedures associated with them (see **Support Services Policy**).

Karma Nirvana commits to addressing safeguarding throughout its work, through the three pillars of prevention, reporting and response.

Karma Nirvana expects all its helpline operating staff to read a copy of the Helpline Safeguarding policy, which covers contact with children, young people and vulnerable adults through various activities, notably the helpline and advocacy (face to face) service.

Safeguarding is an umbrella term that includes child and adult protection.

## Prevention

### Karma Nirvana responsibilities

Karma Nirvana will:

- Ensure all staff have access to, are familiar with, and know their responsibilities within this policy
- Design and undertake all its activities in a way that protects people from any risk of harm that may arise from their coming into contact with Karma Nirvana. This includes how information about individuals in our activities is gathered and communicated
- Implement stringent safeguarding procedures when recruiting, managing and deploying staff and associated personnel
- Ensure staff receive training on safeguarding at a level commensurate with their role in the organisation, with refresher training at least every two years; the Designated Safeguarding Lead should undertake DSL-level training at least every two years and keep their knowledge updated annually

- Follow up on reports of safeguarding concerns promptly and according to due process
- Ensure the Board of Trustees receives an annual safeguarding report and maintains oversight of safeguarding governance
- Ensure safe working practices are in place for all activities involving service users, including lone working, home visits and one-to-one sessions
- Maintain secure, confidential records of all safeguarding concerns and responses in accordance with the organisation's data retention policy

## **Staff responsibilities**

### **Child safeguarding**

Karma Nirvana staff and associated personnel must not:

- Engage in sexual activity with anyone under the age of 18
- Sexually abuse or exploit children
- Subject a child to physical, emotional or psychological abuse, or neglect
- Engage in any commercially exploitative activities with children including child labour or trafficking
- Facilitate, support or fail to report honour-based abuse (HBA), forced marriage or female genital mutilation (FGM) in relation to a child
- Engage in, facilitate or ignore indicators of child sexual exploitation (CSE), county lines involvement, or other forms of criminal exploitation of a child

### **Adult safeguarding**

Karma Nirvana staff and associated personnel must not:

- Sexually abuse or exploit adults at risk
- Subject an adult at risk to physical, emotional or psychological abuse, or neglect
- Financially abuse or exploit an adult at risk, including theft, fraud, exploitation, or pressure in connection with wills, property or financial transactions

### **Protection from sexual harassment and abuse**

Karma Nirvana staff and associated personnel must not:

- Exchange money, employment, goods or services for sexual activity. This includes any exchange of assistance that is due to beneficiaries of assistance
- Engage in any sexual relationships with beneficiaries of assistance, since they are based on inherently unequal power dynamics

## Online safety and communications

Karma Nirvana staff and associated personnel must not:

- Contact service users or beneficiaries via personal social media accounts or personal messaging applications
- Share images, videos or personal information about service users on social media or any public platform without explicit written consent
- Take or use photographs or recordings of children or adults at risk without the written consent of the individual (or parent/guardian for those under 16)

Additionally, Karma Nirvana staff and associated personnel are obliged to:

- Contribute to creating and maintaining an environment that prevents safeguarding violations and promotes the implementation of the Safeguarding Policy
- Report any concerns or suspicions regarding safeguarding violations by a Karma Nirvana staff member or associated personnel to the appropriate staff member

## Enabling reports

Karma Nirvana will ensure that safe, appropriate, accessible means of reporting safeguarding concerns are made available to staff and the communities we work with.

Any staff reporting concerns or complaints through formal whistleblowing channels (or if they request it) will be protected by Karma Nirvana's Whistleblowing Policy.

Karma Nirvana will also accept complaints from external sources such as members of the public, partners and official bodies.

The need to report arises in the following instances:

- Abuse is observed or suspected
- An allegation of abuse is made
- Someone discloses abuse

## How to report a safeguarding concern?

Staff members who have a complaint or concern relating to safeguarding should report it immediately to the designated Safeguarding lead (DSL) or line manager. If the staff member does not feel comfortable reporting to their DSL or line manager, they may report to any other appropriate Senior Management staff member or to the trustee contact.

### Staff – Designated Safeguarding Lead

Anup Manota a.manota@karmanirvana.org.uk

### Trustees

Nasreen Quayum trustees@karmanirvana.org.uk

### Deputy Designated Safeguarding Lead

If the DSL is unavailable or is the subject of the allegation, concerns should be reported directly to the line manager or, if neither is available, to the trustee contact.

## Response

Karma Nirvana will follow up safeguarding reports and concerns according to policy and procedure, and legal and statutory obligations.

Karma Nirvana will apply appropriate disciplinary measures to staff found in breach of policy.

Karma Nirvana will offer support to survivors of harm caused by staff or associated personnel, regardless of whether a formal internal response is carried out (such as an internal investigation). Decisions regarding support will be led by the survivor.

The Safeguarding Manager will ensure that reports are made to the Charity Commission and where applicable to relevant statutory authorities. Where an allegation is made against a member of staff or volunteer who works with children, the matter will be referred to the Local Authority Designated Officer (LADO) in accordance with local safeguarding procedures. Karma Nirvana will work cooperatively with the Local Safeguarding Children Partnership (LSCP) and the Safeguarding Adults Board (SAB) as required.

Karma Nirvana will report serious safeguarding incidents to the Charity Commission as a Serious Incident where required. A serious incident includes: actual or alleged abuse or mistreatment of a beneficiary by a member of staff or volunteer; a safeguarding matter that has resulted in or is likely to result in significant harm to a beneficiary; or any incident that results in police involvement or referral to statutory agencies.

## Confidentiality

It is essential that confidentiality is maintained at all stages of the process when dealing with safeguarding concerns. Information relating to the concern and subsequent case management should be shared on a need to know basis only, and should be kept secure at all times. All personal data processed in connection with safeguarding concerns must be handled in accordance with the UK General Data Protection Regulation (UK GDPR) and the Data Protection Act 2018.

Confidentiality is not the same as secrecy. Where there is a risk of harm to a child or adult at risk, the duty to protect that person takes precedence over the duty of confidentiality. In such circumstances, information may be shared with relevant statutory agencies without the consent of the individual, in line with the statutory guidance on Information Sharing: Advice for Practitioners (HM Government, updated 2024).

Where an adult at risk does not consent to information being shared, staff should seek advice from the DSL. The Mental Capacity Act 2005 should be considered where there are concerns about an adult's capacity to make decisions about their own safety.

## Record Keeping

All safeguarding concerns, disclosures and referrals must be recorded in writing as soon as possible after the event. Records should include: the date and time of the concern or disclosure; the nature of the concern; any action taken; and the name of the person making the record.

Records must be stored securely, separately from general personnel files, and access restricted to those with a need to know. Records relating to children should be retained until the child reaches the age of 25 (or 30 if the concern relates to abuse); records relating to adults should be retained for a minimum of seven years.

## Associated policies

Whistleblower policy

Child Safeguarding policy

Adult Safeguarding policy

Support Service Policy

Complaints Policy

Confidentiality Policy

## Recruitment

It is our policy that no-one shall work within Karma Nirvana who:

- Has been convicted of or has received a formal police caution concerning an offence against children; or
- Has been convicted of or has received a formal police caution concerning sexual offences against adults; or
- Is notified to us as having a red flag in relation to safeguarding by a former employer

Karma Nirvana operate a robust recruitment process whereby the recruitment process is consistent and fair for all. Interviews are conducted face to face and qualifications are checked prior to interview, however, copies of this will be requested on induction. Interviews will be assessed on a score-based system, whereby each candidate would need to obtain a required score to be offered the job. Interviews will be conducted by at least two Karma Nirvana staff or trustees.

If a job offer is made and accepted, then at least two references will be checked and at point of successful appointment Enhanced DBS checks, including a check against the Barred Lists where the role involves regulated activity, will be carried out and photo ID is taken in the form of a passport or driving licence on induction.

A separate document for recruitment, training and selection is within the '**Karma Nirvana Support Services Policy**'.

## Glossary of Terms

### **Beneficiary of Assistance**

Someone who directly receives goods or services from Karma Nirvana's activities. Note that misuse of power can also apply to the wider community that Karma Nirvana serves, and also can include exploitation by giving the perception of being in a position of power.

### **Child**

A person below the age of 18

### **Harm**

Psychological, physical and any other infringement of an individual's rights

### **Psychological harm**

Emotional or psychological abuse, including (but not limited to) humiliating and degrading treatment such as bad name calling, constant criticism, belittling, persistent shaming, solitary confinement and isolation

### **Physical Abuse**

Causing physical harm to a child or adult such as: Hitting, shaking, pushing, beating, pinching, burning, restraining unnecessarily or other form of physical harm. Harm can also be caused when a parent or carer fabricates symptoms of ill health or causes actual ill health in a child or young person in their care.

### **Safeguarding**

In the UK, safeguarding means protecting peoples' health, wellbeing and human rights, and enabling them to live free from harm, abuse and neglect

In our sector, we understand it to mean protecting people, including children and adults at risk, from harm that arises from coming into contact with our staff or activities.

Safeguarding means taking all reasonable steps to prevent harm, particularly sexual exploitation, abuse and harassment from occurring; to protect people, especially vulnerable adults and children, from that harm; and to respond appropriately when harm does occur.

This definition draws from our values and principles and shapes our culture. It pays specific attention to preventing and responding to harm from any potential, actual or attempted abuse of power, trust, or vulnerability, especially for sexual purposes.

Safeguarding applies consistently and without exception across our activities, partners and staff. It requires proactively identifying, preventing and guarding against all risks of harm, exploitation and abuse and having mature, accountable and transparent systems for response, reporting and learning when risks materialise. Those systems must be survivor-centered and also protect those accused until proven guilty.

Safeguarding puts beneficiaries and affected persons at the centre of all we do.

### **Sexual abuse**

The term 'sexual abuse' means the actual or threatened physical intrusion of a sexual nature, whether by force or under unequal or coercive conditions.

**Sexual exploitation**

The term 'sexual exploitation' means any actual or attempted abuse of a position of vulnerability, differential power, or trust, for sexual purposes, including, but not limited to, profiting monetarily, socially or politically from the sexual exploitation of another. This definition includes human trafficking and modern slavery.

**Survivor**

The person who has been abused or exploited. The term 'survivor' is often used in preference to 'victim' as it implies strength, resilience and the capacity to survive, however it is the individual's choice how they wish to identify themselves.

**Adult at risk**

Sometimes also referred to as vulnerable adult. A person who is or may be in need of care by reason of mental or other disability, age or illness; and who is or may be unable to take care of him or herself, or unable to protect him or herself against significant harm or exploitation.

