

Context – why this is important

The Charities Commission states that whether we need to have a written policy depends on the size of the charity and its' activities.

Our policies should be relevant to our size and activities; implemented effectively, available to the public and reviewed regularly because it strengthens our effectiveness and helps demonstrate that the trustees are taking our legal responsibilities and good governance seriously.

The areas for consideration are

- Code of Conduct including conflict of interest, complaints handling and data protection
- Safeguarding
- Risk Management
- Financial management including investment and paying staff

We also need to make sure our charity has suitable health and safety arrangements in place; first aid, fire safety and digital safety policies that everyone understands.

All trustees, staff, volunteers and beneficiaries must be aware of our policies and they all need to know how to apply them. The amount of detail in our policies and how often we review them depends on what our charity does, where it works and the level of risk.

When we review policies and procedures we must check we are still following them; use guidance to help with policies and procedures and take professional advice if we need it.

In the pages below, we have detailed

- What the charity commission says regarding each area
- The committee position and rationale re each area
- Where appropriate the full MCS policy

What the Charity Commission says

➤ Code of conduct

If you have staff or volunteers you must have a clear code of conduct which sets out your charity's culture and how people in your charity should behave and how you will handle any complaints.

[Read the Charity Governance Code](#)

➤ Safeguarding

Get checks on trustees, staff and volunteers: You must make sure that trustees, staff and volunteers are suitable and legally able to act in their positions. This includes people from or working overseas. You need to get:

- criminal records checks where the position is eligible
- references and checks on gaps in work history
- confirmation that staff can work in the UK
- health checks where appropriate

Disclosure and Barring Service (DBS) checks: If you work with children or adults at risk, you should check people's criminal records and information held by the police.

Protect volunteers and staff: If your charity has volunteers or staff, you need to protect them from harm. Have clear policies and procedures on bullying and harassment and whistleblowing. You need to have adequate insurance which covers the individuals and the activities involved.

Safeguarding vulnerable beneficiaries: In your policy make clear how you will:

- protect people from harm
- make sure people can raise safeguarding concerns
- handle allegations or incidents
- report to the relevant authorities

Safeguarding children or adults at risk: (Safeguarding children duties apply to any charity working with, or coming into contact with, anyone under the age of 18.) If you work with children or adults at risk you should establish good safeguarding policies and procedures that all trustees, staff and volunteers follow. Make sure all staff and volunteers receive regular training on child protection or working with adults at risk. Appoint a safeguarding lead to work with your local authority safeguarding boards. Manage concerns, complaints, whistleblowing and allegations relating to child protection or adults at risk effectively. Follow relevant legislation and guidance.

Terrorism and the Prevent duty: All charities must prevent abuse for extremist purposes. Some charities, like educational charities, are 'specified authorities'. They must [follow guidance on the Prevent duty](#). This must be part of your charity's risk assessments, policies and procedures.

➤ Risk Management

You are not required by law to have a risk management process for your charity, nor to follow a particular method. But the Charity Commission strongly recommends that you have a clear risk management policy and process. This will help you identify and manage all types of risks, and embed risk management into your charity's work. The commission's [detailed guidance on risk management](#) sets out the basics of dealing with risks. It includes a risk management model made up of the following steps:

- establish a risk policy
- identify risks
- assess risks
- evaluate what action to take
- review, monitor and assess periodically

They recommend we review the effectiveness of our approach to risk every year and describe it in our Annual report.

➤ Financial management including investment and paying staff

Understanding and managing the financial health of a charity is a vital part of trustees' compliance with their legal duties to:

- act in the interests of their charity and its beneficiaries
- protect and safeguard the assets of their charity
- act with reasonable care and skill

As the charity regulator, the commission expects trustees to discharge these duties by regularly assessing and monitoring the overall financial position of their charity and by taking steps to ensure that its funds can continue to be used for the purposes for which they were given. Where their charity has to close, the commission expects trustees to have planned for an orderly shutdown.

Working with or making grants to other organisations: Carry out proper due diligence when you work with, or make grants to, other bodies to achieve their aims. You must make sure that any grant recipient or partner body is suitable. They must have appropriate safeguarding procedures in place. Make sure there are clear lines of responsibility and reporting between all bodies involved.

[How to carry out due diligence checks](#)

You should have a written agreement or contract that sets out:

- your relationship
- the role of each organisation.
- monitoring and reporting arrangements

➤ **Working with another charity**

Charities can work with other charities to carry out their aims. This joint working could include fundraising, donating or making a grant to the other organisation and / or collaborating to deliver a project or contract, or share facilities. Before your charity decides to do one of these things, you should start by asking what you intend to achieve. The trustees must properly consider and be satisfied that:

- it will be an effective way of using your charity's resources to further its charitable purposes
- it will be in your charity's best interests
- your charity's governing document doesn't prevent you from doing it
- you have identified and can deal with any risks that the proposal presents

This may be straightforward or more complex, depending on:

- how similar the other organisation's aims are to your charity's purposes
- the nature of the activity you intend to support or collaborate on
- the value, duration and nature of the support or collaboration
- how easily you can verify how your charity's funds are being spent

How to collaborate with another charity

Your charity can work with another charity as a way to meet its charitable purposes. For example:

- joining forces to win a contract to deliver public services
- sharing knowledge, skills and information
- sharing office space or equipment to save money
- improving the quality of service you can offer - for example, you could provide joint training events for your staff
- being able to help more beneficiaries - for example, joint fundraising ventures may attract more people

To learn more about different ways of working with another charity, read the Charity Commission's guidance [Choosing to collaborate: how to succeed](#).

Before you agree to work with another charity you must be sure that working together is:

- in the interests of your charity's beneficiaries
- a good way to meet your charitable purposes

Make sure the trustees are satisfied that working with a partner charity:

- is an appropriate use of your charity's money
- isn't motivated by financially supporting a person or an organisation - this could affect your charity's public benefit

- doesn't involve you in activities which may not be entirely charitable, eg campaigning that goes beyond the legal limits for charities
- won't affect the support you already receive from donors or others

Both charities need to be clear from the beginning about what they want from each other. Think about:

- how both charities will retain their independence
- how compatible the way you work is
- defining what each charity will be responsible and liable for
- the roles and responsibilities of each charity

Read the Commission's guidance [Choosing to collaborate: how to succeed](#) before entering a partnership.

Get a formal agreement

Once you've found a partner to work with, write a formal agreement to clearly state what both charities want to achieve and have agreed to. How much you should include in your written agreement depends on how complex the collaboration is.

For example, two small charities that want to share a minibus may only need a simple written agreement. Two larger charities that plan to work together to deliver training or secure funding might need a fuller agreement. Whatever the size and complexity of the proposed arrangement, you should assess the risks involved and make sure you have addressed them properly in the agreement. For example you will need to decide whether to include a termination clause, in case your joint venture doesn't work out. For more guidance read '[Joint working agreements](#)' from the National Council for Voluntary Organisations.

Give money to other charities

Your charity may wish to raise funds for or give money to other charities, for example if they can use it for a particular cause more effectively.

Grants and donations

Your charity can fund another charity as a way of meeting its charitable purposes. You must be sure that this is in your charity's best interests. This includes checking that any money you give is used as you expected it to be. Check your governing document to make sure that it doesn't prevent you giving money to another charity. Record your decision to fund another charity in the minutes of your meeting.

Fundraising for another charity

Your charity can also fundraise on behalf of another charity. For example, if there has been a major disaster or emergency you can support another charity that is running an appeal. Make sure the other charity's aims are consistent with your own.

Before you start, you will need to get permission from the charity you want to raise funds for. You should also tell your donors where the funds are going. For example, if you are raising funds for more than one charity, explain what proportion of funding will go to each charity.

For more on fundraising for another charity, read the Commission's [detailed guidance on fundraising](#).

Committee position

As a committee we have discussed and agreed the contents of each of these policies and decided the following:

- **Code of Conduct** including conflict of interest, complaints handling and data protection
 - Issued and signed for by all members annually
 - Additional **conflict of interest statement** signed for by committee members annually
 - Our Data Protection policy was agreed initially in April 2018, is detailed below

- **Safeguarding**
 - *This is not applicable to MCS – we will ensure that any minors or vulnerable adults are accompanied by an appropriate adult.*

- **Risk Management**
 - *Our risk management policy is to have a current risk assessment for every venue that we use and to ensure that a designated committee member will conduct a risk assessment at every rehearsal and concert.*

- **Financial management** including investment, volunteer management and paying staff
 - *The committee is empowered by the members to make investment decisions pertinent to the ongoing running of the choir, in line with the Constitution.*
 - *Any extraordinary investment decisions will be brought to the members' attention and if necessary an EGM called to discuss and agree.*
 - Volunteer Management – *MCS has no volunteers as defined by the Commission*
 - Paying staff – *we have no staff, we employ independent contractors but we do check that they have the appropriate insurance cover*

- **Working with another charity**
 - *The members will nominate and vote for the charities with similar purpose or values to MCS, that they want to support.*
 - *The committee will make a formal agreement with those charities in line with the Charities commission guidance and MCS constitution.*
 - *The agreement will be shared with MCS members via the notices.*
 - *All dealings with the charity will be in line with the agreement.*

We will review these policies annually, in September and at any point deemed necessary or appropriate by the committee or raised for review by a member. Any amendments will be put to the members at the AGM as appropriate.

Our policies

Data Protection

Introduction

In order to operate, Mansfield Choral Society (MCS) needs to gather, store and use certain forms of information about individuals. These can include members, employees, contractors, suppliers, volunteers, audiences and potential audiences, business contacts and other people the group has a relationship with or regularly needs to contact.

This policy explains how this data should be collected, stored and used in order to meet Mansfield Choral Society's data protection standards and comply with the law.

Why is this policy important?

This policy ensures that Mansfield Choral Society:

- Protects the rights of our committee members, members, employees, volunteers, supporters and sponsors
- Complies with data protection law and follows good practice
- Protects the group from the risks of a data breach

Who and what does this policy apply to?

This applies to all those handling data on behalf of Mansfield Choral Society, e.g.:

- Committee members
- Employees and volunteers
- Members
- Contractors/3rd -party suppliers

It applies to all data that Mansfield Choral Society holds relating to individuals, including:

- Names
- Email addresses
- Postal addresses
- Phone numbers
- Any other personal information held (e.g. financial, gift aid, age, next of kin)

Roles and responsibilities

- Everyone who has access to data as part of Mansfield Choral Society has a responsibility to ensure that they adhere to this policy.

Data Protection Policy Data protection principles

We fairly and lawfully process personal data

Mansfield Choral Society will only collect data where lawful and where it is necessary for the legitimate purposes of the group.

- A member's name and contact details will be collected when they first join the group, and will be used to contact the member regarding group membership administration and activities. Other data may also subsequently be collected in relation to their membership, including on their payment history for 'subs'.
- The name and contact details of committee members, employees and contractors will be collected when they take up a position, and will be used to contact them regarding group administration related to their role.
- Further information, including personal financial information and criminal records information may also be collected in specific circumstances where lawful and necessary (in order to process payment to the person or in order to carry out a DBS check).
- An individual's name and contact details will be collected when they make a booking for an event. This will be used to contact them about their booking and to allow them entry to the event.
- An individual's name, contact details and other details may be collected at any time (including when booking tickets or at an event), with their consent, in order for MCS to communicate with them about group activities, and/or for Direct Marketing. See 'Direct Marketing' below.

We only collect and use personal data for specified and lawful purposes.

When collecting data, Mansfield Choral Society will always explain to the subject why the data is required and what it will be used for, e.g. "Please enter your email address in the form below. We need this so that we can send you email updates for group administration including about rehearsal and concert schedules, subs payments and other business."

We will never use data for any purpose other than that stated or that can be considered reasonably to be related to it. For example, we will never pass on personal data to 3rd parties without the explicit consent of the subject.

We ensure any data collected is relevant and not excessive

Mansfield Choral Society will not collect or store more data than the minimum information required for its intended purpose. E.g. we need to collect telephone numbers from members in order to be able to contact them about group administration, but data on their marital status or sexuality will not be collected, since it is unnecessary and excessive for the purposes of group administration.

We ensure data is accurate and up-to-date

Mansfield Choral Society will ask members, volunteers and staff to check and update their data on an annual basis. Any individual will be able to update their data at any point by contacting the committee.

We ensure data is not kept longer than necessary

Mansfield Choral Society will keep data on individuals for no longer than 12 months after our involvement with the individual has stopped, unless there is a legal requirement to keep records. E.g. Gift aid – 7 years

Member-to-member contact**We process data in accordance with individuals' rights**

Members, volunteers, employees and supporters can make the following requests in writing to the Secretary via the website. Any such request will be actioned within 14 working days of the request being made.

- To see any data stored on/about them.
- To update any inaccurate data held on them
- To stop receiving any marketing communication

They can also object to any storage or use of their data that might cause them substantial distress or damage or any automated decisions made based on their data. Any such objection will be considered by the Trustees, and a decision communicated within 30 working days of the request being made

We keep personal data secure

Mansfield Choral Society will ensure that data held by us is kept secure.

- Electronically-held data will be held within a password-protected and secure environment
- Passwords for electronic data files will be re-set each time an individual with data access leaves their role/position
- Physically-held data (e.g. membership forms or email sign-up sheets) will be stored in a locked cupboard and/or locked accommodation
- Keys for locks securing physical data files should be collected by the Secretary from any individual with access if they leave their role/position. The codes on combination locks should be changed each time an individual with data access leaves their role/position
- Access to data will only be given to relevant trustees/committee members / contractors where it is clearly necessary for the running of the group. The Committee will decide in what situations this is applicable and the Secretary will keep a master list of who has access to data

Transfer to countries outside the EEA

Mansfield Choral Society will not transfer data to countries outside the European Economic Area (EEA), unless the country has adequate protection for the individual (e.g. USA).

We only share members' data with other members with the subject's prior consent

As a membership organisation Mansfield Choral Society encourages communication between members. To facilitate this:

- Members can request the personal contact data of other members in writing via the Secretary or Chairman.
- These details will be given, as long as they are for the purposes of contacting the subject (e.g. an email address, not financial or health data) and the subject consents to their data being shared with other members in this way.

Direct Marketing

Mansfield Choral Society will regularly collect data from consenting supporters for marketing purposes. This includes contacting them to promote concerts, updating them about group news, fundraising and other group activities.

Any time data is collected for this purpose, we will provide:

- A clear and specific explanation of what the data will be used for (e.g. 'Tick this box if you would like Mansfield Choral Society to send you email updates with details about our forthcoming events, fundraising activities and opportunities to get involved')
- A method for users to show their active consent to receive these communications (e.g. a 'tick box')

Data collected will only ever be used in the way described and consented to (e.g. we will not use email data in order to market 3rd -party products unless this has been explicitly consented to).

Every marketing communication will contain a method through which a recipient can withdraw their consent (e.g. an 'unsubscribe' link in an email). Opt-out requests such as this will be processed within 14 working days.

Cookies on the Mansfield Choral Society website

A cookie is a small text file that is downloaded onto 'terminal equipment' (e.g. a computer or smartphone) when the user accesses a website. It allows the website to recognise that user's device and store some information about the user's preferences or past actions.

MCS uses cookies on our website www.mansfieldchoral.org.uk in order to monitor and record their activity. This allows us to improve users' experience of our website by, for example, allowing for a 'logged in' state, and by giving us useful insight into how users as a whole are engaging with the website.

We will implement a pop-up box on www.mansfieldchoral.org.uk that will activate each new time a user visits the website. This will allow them to click to consent (or not) to continuing with cookies enabled, or to ignore the message and continue browsing (i.e. give their implied consent).

It will also include a link to our Privacy Policy which outlines which specific cookies are used and how cookies can be disabled in the most common browsers.

Key details

- Policy based on the latest Making Music template and prepared by: E Leyshon
- Approved by Committee on: x xx 2018
- Signed by the Chair: Erica Leyshon - see original kept with minutes by Secretary
- Next review date: April 2019