

LAVENDER
HILL MOB
Theatre Company

POLICIES & PROCEDURES

(Updated January 2020)



POLICIES AND PROCEDURES: CONTENTS

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Capability Procedure

1. Statement of Intent

- 1.1 Every Lavender Hill Mob Theatre Company (LHMTC) volunteer is expected to carry out their duties to the best of their ability. This Procedure is intended to provide a framework for the consistent dealing with issues of capability, where volunteers do not appear to be fulfilling their duties and responsibilities to the required standard. The required standard of tasks is based on information detailed in the role specification, person specification, appraisals and supervisions which are monitored by the Artistic Director. This procedure applies to all volunteers of LHMTC other than those still in their probationary period.
- 1.2 A volunteer's poor performance at tasks can occur for a variety of reasons and the issue for the Artistic Director is how to deal reasonably with it in order that the requirements of the role can be met, service provisions fulfilled and the volunteer given appropriate opportunity to meet the required standard.
- 1.3 It will be used where there is a genuine imbalance between expectation and role specification and capability and delivery which may have been present for some time or may have come about more recently because of (for example) changing role content or personal factors affecting the individual's performance.
- 1.4 This procedure seeks to set out provisions to:
 - 1.1.1 Assist volunteers to improve their performance, wherever possible, when such deficiencies exist.
 - 1.1.2 Present a clear means of dealing with capability problems without resorting to the disciplinary procedure.
 - 1.1.3 Give means of solving incapability problems where improvement in the current role is not possible.

2. Representation

- 2.1 At all stages of the formal procedure a volunteer is entitled to have a tasks colleague to accompany them. It will be made clear in advance to the volunteer and representative, if the volunteer exercises this option, that the capability, rather than the disciplinary procedure is being used. If at any stage the Artistic Director has reason to believe that the volunteer's lack of capability is due to poor conduct or lack of effort on the part of the volunteer, the Artistic Director will stop the process and set up a disciplinary interview at a later date in accordance with that procedure. The Artistic Director will inform the volunteer clearly of the change of

procedure and repeat that there is a right to be accompanied/represented if this right has not previously been exercised.

3. The formal procedure

3.1 Stage 1 - Consultation

3.1.1 Where the Artistic Director feels that a volunteer's performance is failing to meet an acceptable standard, a consultation session will be arranged with the volunteer by the Artistic Director, giving at least 24 hours' notice. During this consultation the volunteer will be told clearly of the deficiencies which have been identified and of the precise improvement in tasks standard which is required and the possible consequences of not doing so. There must be an opportunity for the volunteer to answer these points and to explain any difficulties which they may be having, and a discussion on how the desired improvement may be achieved. Appropriate solutions could include:

- Training, either externally or internally;
- Working under closer supervision from the Artistic Director, or a colleague who is competent and experienced in the tasks, for an agreed specified period;
- Agreed changes in duties, either permanently or for a trial period.

3.1.2 The conclusions from this consultation session will be recorded in writing, with a copy given to the volunteer. A reasonable timescale for improvement will be set, the length to be determined by individual circumstances, with monitoring during that period and a review meeting at the end of it. If the desired improvement has been achieved, this will be recorded and the volunteer will be given a copy.

3.2 Stage 2 - Formal Warning

3.2.1 If the improvement has not been achieved by the end of the timescale allocated at the end of Stage 1, the volunteer will be told at the review meeting of the continued deficiencies by the Artistic Director. The corrective measures previously agreed will also be reviewed, and there will be discussion on whether they should continue or if additional measures may be needed.

3.2.2 The volunteer will again be allowed the right to answer the points made and explain any problems. It may be felt appropriate at this stage to discuss the possibility of a permanent redeployment and, if so, whether this is an agreeable option for the volunteer. This may be particularly appropriate for a volunteer who has not been able to cope with added responsibilities (a 'promotion') but was satisfactory in the previous role. If this is an agreed possibility the Artistic Director will be notified and the further steps required to implement this solution will be under their control.

3.2.3 The review meeting will be followed by a formal letter to the volunteer, clearly stating:

- The continued deficiencies
- The expected improvement

- The timescale for achieving it
- The further help which will be given
- Any agreed changes to their role and
- A failure to achieve the improvement within the timescale may involve consideration of whether their voluntary role is suitable for them.

3.2.3 The letter will also set out the volunteer's right of appeal at this stage, including to whom it should be made and the time limit for doing so. A reasonable timescale for improvement will be set, with monitoring during that period and a review meeting at the end of it. If the desired improvement has been achieved, this will be recorded and the volunteer will be given a copy.

3.3 Stage 3 - Final Resolution

3.3.1 If the needed improvement has still not been achieved, the review meeting will be held by the Artistic Director and the volunteer will again be told of the continued deficiencies and offered the opportunity to answer the points made. The Artistic Director will then make a decision as to whether there is any likelihood of the volunteer's performance achieving an acceptable level by extending the assistance offered and timescale allowed under the previous stage.

3.3.2 If the decision is taken that the volunteer's performance will not become acceptable in the current post, a further consideration of whether permanent redeployment is possible, and whether the alternative role is likely to be performed acceptably by the volunteer, will be made. If no suitable alternative volunteer role is available, or the volunteer refuses this redeployment, termination of volunteering will take place, with notice appropriate to the volunteer's length of service.

3.3.3 Any decisions reached in the final stage review meeting will be confirmed in writing to the volunteer with details regarding the appeal procedures. If termination of volunteering is to take place the following will also be immediately confirmed in writing to the volunteer:

- the fact of, and reasons for, this termination
- the last date of volunteering, and
- any necessary administrative arrangements

4. Right of Appeal

4.1 A Right of Appeal exists at Stages 2 and 3 of the formal procedure. There will not be a delay in implementing management decisions pending the appeal, but they may be subsequently reversed as a result of the Appeal Hearing.

4.2 Appeals must be lodged with the Chair of Trustees within ten working days of receipt of the formal letter, and the Appeal Hearing must take place within the following 15 working days. This may be extended by mutual agreement in writing.

4.3 The volunteer has the same right of representation at an Appeal as during the above formal stages, accompanied by an LHMTTC colleague.

4.4 Appeals against the decision of the Artistic Director will be heard by the Chair of Trustees, those against decisions of the Artistic Director by a panel of a minimum of three members of the Board of Trustees previously unacquainted with proceedings.

5. Capability of Directors

5.1 The principles and procedures in the preceding paragraphs apply to Directors as much as to other volunteers, but the stages in their case will be undertaken by the Chair of Trustees, with appeals to the Board of Trustees. Matters of capability of the Artistic Director are the sole province of the Board of Trustees.

6. Normal Supervisory Control

6.1 Nothing in this procedure is intended to prevent or replace the normal process of supervisory control whereby Directors allocate tasks, monitor performance, draw attention to errors and poor quality and highlight tasks done well. This may include informal assistance in achieving improvement.

6.2 This is not part of the formal capability procedure, and therefore formal interviews and representation are not appropriate to this everyday process.

7. Confidentiality and Record Keeping

7.1 All proceedings will be treated as confidential. However, in the interests of the volunteer, a written record detailing the particulars of the capability procedure will be kept. They will include the deficiencies in the volunteer's tasks performance, the volunteer's explanation as to any problems, and any solutions or measures taken to amend or improve the volunteer's task performance. It should also detail whether an appeal was lodged, the outcome of the appeal, and subsequent developments. Records will be treated as confidential and in accordance with the organisation's Confidentiality policy and will not be held any longer than six months. Copies of meeting records including minutes should be given to the volunteer, sent the day after containing a prepaid postage envelope addressed to the LHMTTC registered office should the volunteer be required or wish to respond.



Safeguarding Policy (Including Anti-Bullying)

1. Introduction Policy Statement

Lavender Hill Mob Theatre Company (LHMTC) has an obligation to ensure that, when dealing with children and vulnerable persons, its volunteers provide the highest possible standards of service and care.

The aim of this Policy and Procedures document is to ensure that people representing, or volunteering on behalf of LHMTC or who are associated with services facilitated in some way by LHMTC:

- Have a clear understanding of their responsibilities when working with children and vulnerable persons.
- Recognise the signs of abuse and the appropriate course of action to be taken in such circumstances.
- Understand the potential risk to themselves and ensure that good practice is adhered to at all times.
- Recognise signs of improper behaviour from other people volunteering for or on behalf of LHMTC and take appropriate action should this occur.

2. Responsibility

LHMTC will, for all services and activities:

- Accept moral and legal responsibility to implement procedures, to provide a duty of care for children and vulnerable persons, safeguard their wellbeing and protect them from abuse.
- Respect and promote the rights, wishes and feelings of children and vulnerable persons.
- Recruit, train and supervise its volunteers to adopt best practice to safeguard and protect children and vulnerable adults from abuse, and themselves against false allegations.
- Require volunteers to adopt and abide by the Children and Vulnerable Persons Protection Policy and Procedures.
- Require partner organisations and members to either abide by LHMTC's Children and Vulnerable Persons Protection Policy and Procedures, or have and abide by their own code, policies and procedures.
- Develop and implement an appropriate monitoring and review system to ensure conformance to the Children and Vulnerable Persons Protection Policy and Procedures.
- Respond to allegations appropriately and implement the appropriate disciplinary and appeals procedures.

2.1 Principles

LHMTC believes that:

- The safety and welfare of children and vulnerable persons must always be of paramount importance, whatever the circumstances.
- Everyone who has a role in working with children and vulnerable persons also has a responsibility to safeguard and promote their welfare and protect them from abuse.
- All children and vulnerable persons have equal rights to protection from harm irrespective of their age, culture, disability, gender, language, racial origin, religion or belief and/or sexual identity have the right to protection from abuse.
- Special care is needed in providing services to children and vulnerable persons because their age, inexperience, physical or mental health may make them particularly susceptible to abuse and make it more difficult for them to seek help if they are abused.
- Sufficient training must be made available to ensure that:
 - Volunteers always maintain good practice in providing services to children and vulnerable persons and that,
 - Volunteers are able to recognise and respond to potential signs or allegations of abuse.

The guidance given in LHMTC's procedures is based on the following key principles:

- The safety and wellbeing of children and vulnerable persons is the primary concern.
- All children and vulnerable persons, whatever their age, culture, disability, gender, language, racial origin/heritage, religion or belief and/or sexual identity have the right to protection from abuse.
- Whilst it is not the sole responsibility of LHMTC to determine whether or not abuse has taken place (this is undertaken in liaison with external partners) it is everyone's responsibility to report any concerns.
- All incidents of suspected poor practice and allegations should be taken seriously and responded to swiftly and appropriately.
- Confidentiality will be in line with the Data Protection Act 1998, the Human Rights Act 2000 and the Freedom of Information Act 2000.

2.2 Application

This policy applies to all volunteers regardless of whether they have regular contact with children or vulnerable persons. For the purposes of this policy:

- 'Volunteers' refers to any person volunteering on behalf of LHMTC.
- In accordance with the definition provided in The Children Act's 1989 and 2004, a 'Child' is anyone who has not yet reached their 18th birthday.
- A 'Vulnerable Adult' is defined in 'No Secrets' (Department of Health 2000) as anyone over the age of 18 years who is or may be in need of community care services 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.
- The term 'Parent' is used throughout this document as a generic term to represent parents, carers and guardians.
- Abuse is a violation of an individual's human and civil rights by any other person or persons.

3. Legislation, Guidance and Multi Agency Working

There is a considerable body of legislation, guidance and standards designed to ensure that children and vulnerable persons are protected from harm:

- The Protection of Children and Vulnerable Adults Order (2003)
- The Safeguarding Vulnerable Groups Act 2006
- The Children Act 2004
- The Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975
- Part V of the Police Act 1997
- The Protection of Children Act 1999
- The Criminal Justice and Court Services Act 2000
- Care Standards Act 2000
- Education Act 2002
- Equality Act 2010
- The Care Act 2014

3.1 Children

The Children Act 2004 places a legal duty upon agencies to ensure that its functions are discharged with regard to the need to safeguard and promote the welfare of children.

The Children Act 1989 sets out Local Authorities specific responsibility to provide a duty of care, safeguard welfare and a right to protection from abuse, for young people especially, vulnerable groups irrespective of age, culture, disability, gender, language, racial origin/heritage, religion or belief and/or sexual identity.

In addition it requires all agencies to assist a Local Authority in carrying out enquiries into whether or not a child is at risk of significant harm.

3.2 Vulnerable Persons

The 'No Secrets' DOH guidance, March 2000 states that statutory agencies should 'work together in partnership to ensure that appropriate policies, procedures and practices are in place and implemented locally. Children's Services is the lead agency for child protection and Adult Social Services for vulnerable persons across Norfolk. For mental health and Substance Misuse, this responsibility rests with the appropriate National Health Service or Mental Health Trust.

Members of all statutory organisations, housing providers and private and voluntary agencies are expected to recognise their responsibilities in accordance with contracts, commissioned work and service level agreements to safeguard children and vulnerable adults as part of their duty to the community where they work and provide services.

4. Identifying Abuse

Abuse can take a number of forms and children and vulnerable persons may also be subject to multiple abuse:

- **Physical abuse** – Involves actions that physically hurt or injure children or vulnerable people such as hitting, shaking, kicking, pushing, slapping, burning, poisoning, rough handling or subjecting to unwanted touching etc., inappropriate restraint or sanctions, including deprivation of food, clothing, warmth, health care or educational needs. Physical abuse, as

well as being a deliberate act can be caused by an omission or failure to protect, for example blatantly ignoring or not reacting to a situation. Physical harm may also be caused when a parent or carer feigns the symptoms of, or deliberately causes ill health to a child in their care e.g. fictitious illness by proxy.

- **Neglect** – Where anyone suffers because their health, physical or emotional needs are not properly looked after. This is likely to result in the serious impairment of the child's or vulnerable person's health or development. Neglect could include repeated failure to provide adequate food, shelter and clothing, failing to protect a child or vulnerable person from physical harm or danger, or failure to ensure access to appropriate medical care or treatment.
- **Sexual abuse** – Where anyone is subjected to any kind of sexual activity where they have not given consent; are unable to give consent to or are pressured into giving consent. This could include full sexual intercourse, masturbation, oral sex, anal intercourse and fondling. Non-contact activities such as showing children or vulnerable persons pornographic material, sexual innuendo, or encouragement to behave in sexually inappropriate ways is also a form of sexual abuse.
- **Emotional / Psychological abuse** – Is persistent emotional ill-treatment such as shouting, swearing, and humiliation, threatening with punishment, or deliberately denying religious or belief practices, racial or cultural needs, causing children or vulnerable adults to feel frightened or in danger which may make them nervous or withdrawn. It may involve conveying to a child or vulnerable adult that they are worthless or unloved, inadequate, or valued only insofar as they meet the needs of another person. It may also feature age or developmentally inappropriate expectations being imposed on children. Some level of emotional abuse is likely to be involved in all types of ill-treatment.
- **Discriminatory abuse** – (Direct, in-direct, institutional or transferred) - Discrimination demonstrated on any grounds including age, culture, disability, gender, language, racial origin/heritage, religion or belief and/or sexual identity; discrimination that is based on a person's age, racial origin/heritage or disability; harassment and slurs which are degrading or which can be recorded as a hate crime or incident.
- **A hate incident** – any incident which may or may not constitute a criminal offence and is perceived by the person, or any other person as being motivated by prejudice or hatred.
- **A hate crime** – any hate incident, which constitutes a criminal offence. Norfolk Multi-Agency Protocol – Tackling Hate Crime/Incidents Together-2009
- **Financial abuse** – Where anyone is subjected to the theft or misuse of money, possessions, property or other goods; where emotional pressure is placed upon an individual to give money or goods against their wishes for fear of reprisals or physical harm.
- **Domestic violence** – Is any incident of threatening behaviour, violence or abuse between adults who are or have been intimate partners or are family members regardless of gender or sexuality.

Abuse can and often comes under more than one category of description.

Child on child abuse

It is important to recognise that in some cases of abuse, it may not always be an adult abusing a child. An abuser may be a young person.

- **Sexual Abuse** – Many adult sex abusers begin committing their abusing acts during childhood or adolescence and in many cases are themselves victims of abuse. It is therefore an important child protection function to ensure that such behaviour is treated seriously and is always referred to child protection agencies. Children and young people who are abusers are themselves in need of help.
- **Physical Abuse** – Minor assaults by a child on another child; those, which would normally be associated with school child disputes, would not generally fall within a Child Protection Policy or Procedures. However, where an assault is one of serious nature or there is a suspicion or allegation of systematic physical abuse or bullying this may then be seen as a child protection issue for both the victim and the perpetrator.
- **Bullying** – May be seen to be deliberately hurtful behaviour, usually repeated over a period of time where it is difficult for those bullied to defend themselves or stop the unwanted attention. Although anyone can be a target for bullying, victims are typically shy, sensitive and perhaps anxious and insecure. Sometimes they are singled out for physical reasons- being overweight, physically small, having a disability or belonging to a different racial background or heritage, faith or culture. Girls and boys can be bullies; it can and does occur anywhere where there is minimal supervision or in social situations.

There is no typical bully; they bully for a variety of reasons and may have been abused themselves. Typically, bullies can have low self-esteem, be excitable, aggressive and jealous. Crucially, they have learned how to gain power over others.

Bullying may include:

- **Emotional** Being unfriendly, excluding, tormenting (*e.g. hiding personal effects, threatening gestures*)
- **Physical** Pushing, kicking, hitting, punching or any use of violence
- **Racial** Racial taunts, graffiti, gestures
- **Sexual** Unwanted physical contact or sexually abusive comments
Because of, or focussing on the issue of sexuality
- **Verbal** Name-calling, sarcasm, spreading rumours, teasing
- **Cyber** All areas of the internet, such as email, internet chat room/social media misuse; mobile threats by text messaging & calls (including video calls); misuse of associated technology (*i.e. camera & video facilities*)

The damage inflicted by bullying is frequently underestimated. It can cause considerable distress, to the extent that it affects health and development or, at the extreme causes them significant harm (including self-harm). There are a number of signs that may indicate that a child is being bullied:

- Behavioural changes such as reduced concentration and/or becoming withdrawn, clingy, depressed, tearful, erratic mood swings, reluctance to go to school, training or sports clubs
- A drop in performance at school or standard of play
- Physical signs such as stomach-aches, headaches, difficulty in sleeping, bed wetting, scratching and bruising, damaged clothes, and bingeing for example on food, cigarettes or alcohol
- A shortage of money or frequent loss of possessions

Vulnerable person on vulnerable person abuse

It is important to understand that a vulnerable adult may also be abused by another vulnerable adult. In some settings this behaviour may not have been considered to be abuse. Research has shown that where this kind of abuse is ignored or not addressed appropriately, the victims may suffer mental health problems, low esteem and may also become perpetrators of abuse against others.

4.1 Recognising Abuse

'Research to date has found cases of abuse and neglect in all social and economic strata, in rural and urban settings, in all religious groups and all races' (Shifting Emphasis from Abused to Abuser – G Bennett, May 1990)
 Abuse can happen wherever there are children and vulnerable persons, and can be of any age. The effects of abuse can be damaging and if untreated they, may follow a young person into adulthood.

Recognising abuse is not always easy and it is NOT the responsibility of members of volunteers to decide whether or not abuse has taken place or if a child or vulnerable adult is at significant risk. However, volunteers do have a responsibility to report promptly if they have any concerns.

Indications that a child or vulnerable person may be experiencing abuse include the following:

Children	Vulnerable Adults
Unexplained or suspicious injuries such as bruising, cuts or burns, particularly if situated on a part of the body not normally prone to such injuries;	
An injury for which the explanation seems inconsistent;	
Fear of parents or carers being approached about such injuries;	
Reluctance to get changed or e.g. wearing long sleeves in hot weather	
Unexplained changes in behaviour (e.g. becoming very quiet, withdrawn or displaying sudden bursts of temper);	
The child or vulnerable person describes what appears to be an abusive act involving him / her;	
Flinching when touched or approached	

Someone else (a child or adult) expresses concern about the welfare of another child or vulnerable adult;	
Fear of being left with a specific person	
Distrust of persons, particularly those with whom a close relationship would normally be expected;	
Becoming increasingly dirty/smelly and unkempt	
Displays variations in eating patterns including overeating or loss of appetite;	
Loses weight for no apparent reason	
Is prevented from socialising with other children;	
Engaging in sexually explicit behaviour;	Sudden loss of assets, property or money
Inappropriate sexual awareness;	
A failure to grow and thrive;	
Has difficulty in making friends	

It should be recognised that this list is not exhaustive. Many children and adults will exhibit some of these indicators at some time and the presence of one or more of the indicators is not proof that abuse is actually taking place.

MEMBERS

What can you do if you are being bullied?

- 1) Tell yourself that you do not deserve to be bullied.
- 2) If you are different in some way, be proud of it. It is good to be an individual.
- 3) Try not to show that you are upset (which is difficult).
- 4) Try to stay in a group of people. There is safety in numbers.
- 5) Try being assertive - say 'NO' really firmly. Walk confidently even if you don't feel that way inside. Practise this.
- 6) If you are being bullied try to give clear and accurate evidence of what happened, where and when.
- 7) You have a right to defend yourself but be careful you don't 'bully back'.
- 8) Tell an adult you trust. LHMTTC Directors will take you seriously and are experienced in dealing with bullies in a way which will end the bullying and will not make things worse.

What can you do if you see bullying going on ?

- 1) Take action when someone is being bullied or is in distress. Watching and doing nothing looks as if you are on the side of the bully. It makes the victim more unhappy and isolated.
- 2) If you cannot get involved yourself, tell a member of the LHMTTC Directors immediately. The Directors have ways of dealing with bullies without getting you into trouble.
- 3) Only be friends with people who do not bully others.

- 4) Be supportive and sympathetic. If you are worried about helping someone, talk to any member of the Directors whom you trust.

REMEMBER

Your silence is the bully's greatest weapon

PARENTS

- 1) Watch for signs of distress in your children. For instance, they could be unwilling to attend rehearsals/workshops, or feel unwell regularly.
- 2) Take an interest in your child's social life. Discuss friendships, what they do in rehearsals/workshops.
- 3) Inform the LHMTTC immediately if you feel your child may be a victim of bullying or inappropriate behaviour. Your complaint will be taken seriously and an action plan will be worked out together. **Please be aware that incidents can only be dealt with if it/they happen(s) during LHMTTC time. LHMTTC has absolutely no jurisdiction or responsibility for any incidents or issues outside workshops or performances.**
- 4) Don't encourage your child to hit back, this often makes matters worse.
- 5) Make sure your son or daughter knows there is nothing wrong with him or her. It is not their fault.
- 6) Monitor their use of the Internet, chat rooms and mobile phones.

It is crucial to note that this is only a process of observation and that at no point should any person volunteering on behalf of the LHMTTC feel that they should be actively seeking out abuse or an abuser. The responsibility of everyone volunteering on behalf of LHMTTC is to ensure that if they have concerns about the welfare of a child or vulnerable person, they must report it and never assume that others will do it.

5. Safeguarding children and Vulnerable Persons and Promoting Good Practice

Abuse of children and vulnerable persons, particularly sexual abuse, can arouse strong emotions in those facing such a situation. It is important to understand these feelings and not allow them to interfere with judgement about any action to take. Abuse can occur within many situations; some individuals will actively seek employment or voluntary work with children and vulnerable persons in order to harm them. LHMTTC volunteers may have regular contact with children and vulnerable persons and are therefore an important link in identifying cases where a young and/or vulnerable person needs protection.

5.1 Recruitment

LHMTTC will take all reasonable steps to ensure unsuitable people are prevented from working with children and vulnerable persons.

LHMTC recognises that anyone may have the potential to abuse children or vulnerable people in some way and that all reasonable steps must be taken to ensure that this risk is minimised.

Under the Police Act 1997, Protection of Children Act 1999 and the Criminal Justice and Court Services Act 2000 it is an offence for any organisation to offer employment that involves regular contact with children under the age of 18 to anyone who has been convicted of certain specified offences, or included on lists of people considered unsuitable for such roles by government departments. It is also an offence for people convicted of such offences to apply for roles where children would be in close contact.

All existing and potential volunteers, including those who have regular or unsupervised contact with children or vulnerable adults through their roles, will only be appointed using LHMTC Recruitment Policies.

The DBS Disclosure Service is not considered a substitute for existing pre-employment checks; rather they complement existing recruitment practice, reducing the risk that unsuitable people will gain access to children or vulnerable persons.

5.2 Recruitment Process

Pre-recruitment checks will always be carried out including conducting a documented risk assessment to establish the status of the role to be undertaken with reference to children and vulnerable persons protection legislation and best practice. LHMTC will adopt the following procedures if it is considered that the post has regular or unsupervised contact with or access to children and vulnerable persons this will apply regardless of the status of the role (full-time or part-time):

- Establish roles and responsibilities and create a role description and person specification
- Evaluate the need for a DBS check and or other checking procedures available if appropriate
- Include Disclosure check requirement in any role advertised
- Receive applications and select for interview
- Check identity/employment status, references, skills, experience etc.
- Select successful candidate; only at this stage should DBS or other checking procedures be made
- References must be checked
- Offer can be made subject to receipt of satisfactory references and Disclosure check
- Receive Disclosure check result and references
- Make appointment if checks and references are recognised as satisfactory by the Chair of Trustees

5.3 Advertising

Any form of advertising used to recruit volunteers to role with access to children and vulnerable persons will include or reflect:

- Responsibilities of the role
- A statement indicating the level of disclosure checks required to fulfil the post

- Level of experience and qualifications
- A copy of LHMTTC Equal Opportunities Policy

Should any concerns be raised making the appointment as a result of any of the vetting procedures, LHMTTC will convene a confidential investigation to determine the outcome of any concerns. Appointment will be delayed until such time as the concerns have been investigated and satisfied.

5.4 Induction

All new appointments will undergo LHMTTC formal induction and any pre-determined training. In terms of children and vulnerable person's protection this will include:

- An explanation of LHMTTC Children and Vulnerable Persons Protection Policy and Procedures will be given to all persons taking up a new appointment immediately.
- All persons taking up a new appointment will be required to sign to acknowledge their understanding of the Policy and Procedures and that they will abide by them.
- The identification of any children and vulnerable persons protection/equality training needs.

All volunteers should have an understanding of abuse and neglect and know how and when to take action. LHMTTC will put in place training and support programmes to ensure that all volunteers are able to effectively deal with any suspicions of abuse, poor practice or neglect.

5.5 Training and Development

LHMTTC has an obligation to ensure that all volunteers have the knowledge and skills required to safeguard the welfare of children and vulnerable persons in their work.

In order to fulfil this obligation, we will provide all volunteers with training in the following areas:

- Awareness of child and vulnerable persons protection where appropriate to their role description.
- The provision of LHMTTC Children and Vulnerable Persons Protection Policy.
- The procedure for volunteers responses to allegations or suspicions of child or vulnerable persons abuse.
- The procedure for responding to allegations of child or vulnerable persons abuse against a member of volunteers.

Training needs and opportunities relating to children and vulnerable persons protection issues will be identified and addressed through induction, supervision and appraisal procedures, and in light of any changes in legislation.

5.6 Good Practice Guidelines

All volunteers will be encouraged to demonstrate exemplary behaviour in order to protect themselves from false allegations. The following are common sense examples of how to create a positive culture and climate:

- Always working in an open environment (e.g. avoiding private or unobserved situations and encouraging an open environment – no secrets)
- Treating all children and vulnerable persons equally, and with respect and dignity
- Always putting the welfare of each child and vulnerable person first, before the winning or achieving of other goals
- Maintaining a safe and appropriate distance with children and vulnerable persons; ensuring that if any form of manual or physical support is required, it should be provided openly and only where appropriate
- Making activities, enjoyable and promoting fair play
- Keeping up to date with technical skills, qualifications and insurance requirements
- Being an excellent role model – this includes not smoking or drinking alcohol in the company of children in any work related environment
- Giving enthusiastic and constructive feedback rather than negative criticism
- Recognising the developmental needs and capacity of children and vulnerable persons
- Ensuring all records, contact details, personal information is kept in accordance with The Data Protection Act and conforming to LHMTTC Confidentiality and Data Protection Policies
- Never to keep any personal information (phone numbers and suchlike) of members who are children, on personal mobile phones. Likewise, never to accept or converse as a 'friend' or a contact on any social media platform.

It may sometimes be necessary for volunteers to do things of a personal nature for children and vulnerable people. These tasks should only be carried out with the full understanding and consent of parents where possible the child or the vulnerable person for whom the task is being carried out.

6. Responding to Suspicions and Allegations of Abuse and Poor Practice

LHMTTC will respond to all allegations or suspicions of abuse against children or vulnerable persons in an effective and consistent manner. Even for those experienced in working with children and vulnerable persons, it is not always easy to recognise a situation where abuse may occur, or has already taken place. Whilst it is accepted that volunteers are not experts at such recognition, volunteers do have a responsibility to act if they have any concerns about the behaviour of someone (an adult or child) towards children and vulnerable persons.

Where a volunteer has grounds to believe that a young person or vulnerable adult may be suffering from or at risk of abuse they should act immediately, following the relevant procedures outlined below.

Record Keeping - For all types of response it is vitally important to carefully record the details of an allegation or a reported incident regardless of whether or not the concerns are shared with a statutory agency. An accurate record should be maintained of:

- The date and time of the incident and disclosure
- The parties who were involved
- What was said or done by whom
- The full name of the person reporting and to whom reported
- Where appropriate any actions taken; referrals made and or agencies involved, officers names etc
- Reasons why there was no referral to a statutory agency

Confidentiality

LHMTC has adopted the principle that the welfare of children and vulnerable adults is paramount. This means that considerations of confidentiality that may apply to other situations within LHMTC should not be allowed to override the right of the child or vulnerable person to be protected from harm. Where possible every effort will be made to ensure confidentiality is maintained for all and by all concerned when an allegation is made and whilst it is being investigated. If false allegations of abuse do occur, LHMTC will seek to balance protecting children and vulnerable adults from volunteers whilst protecting its volunteers from the risk of unfounded allegations. However, if a child or vulnerable person says or indicates that he/she is being abused, or information is obtained which gives concern that a child or vulnerable person is being abused, this should never be ignored or dismissed.

All volunteers have a professional and moral duty to discuss any concerns they may have about the welfare of a person immediately with their Artistic Director or another senior member of the volunteers.

Any allegations of abuse made to volunteers, or suspicions of abuse which volunteers may have, will be dealt with in accordance with the procedure set out in Section **6.2** of this policy.

Any allegations of abuse made against volunteers will be dealt with in accordance with the procedure set out in section **6.3** of this policy.

Where there is an immediate risk of harm the volunteer should where possible ensure their immediate safety. This should be followed by an immediate referral to Adult Social Services/Children's Services/Police with the urgency of the situation emphasised. In all cases where there is a concern about a child or vulnerable persons welfare, concerns should be referred to Adult Social Services/Children's Services/Police on the same day and followed up in writing within 48 hours.

6.1 Responding to a Disclosure or Allegation of Abuse

A member of volunteers receiving information concerning disclosure should:

- React calmly so as not to frighten the child or vulnerable person and listen carefully taking what the child or vulnerable person says seriously, recognising the difficulties inherent in interpreting what is said by a child or vulnerable person.
- Reassure the Child or Vulnerable Person that he or she was right to tell.
- Find an appropriate early opportunity to explain that it is likely that the information will need to be shared. Do not make promises of confidentiality.
- Ensure the safety of the child or vulnerable person – in an emergency situation, where there is an immediate risk of harm or a need for medical

treatment call the Police or an Ambulance. Ensure that the medical volunteers/police are aware of your concerns and that this is a child or adult protection issue. The situation should also be referred directly to Adult Social Services/Children's Services, whichever is appropriate.

- Allow the child or vulnerable person to continue at their own pace. **DO NOT** interview the child or vulnerable person or other witnesses.
- Keep questions to an absolute minimum to ensure a clear and accurate understanding of what has been said. Questions should not be leading. Questions should only consist of Who...? What...? When...? Where...?,
- Tell them what you will do next and with whom the information will be shared.
- Make a full written record of what has been said, heard and/or seen as soon as possible. Ensure that you sign and date any written records.
- Relay this information immediately to the Artistic Director or Head Chaperones.
- Maintain confidentiality and do not discuss with any other persons unless requested to do so by the Artistic Director or Head Chaperones.
- Parents and carers will only be contacted after the Artistic Director or Head Chaperones have taken advice from the agencies contacted.

The person receiving the disclosure should not:

- Allow their shock or distaste to show
- Probe for more information than is offered
- Speculate or make assumptions
- Make negative comments about the alleged abuser
- Approach the alleged abuser
- Make promises to agree to keep secrets
- Discuss the issue with anyone other than their Line Manger or a Senior member of volunteers

It is important that everyone across the organisation is aware that the person who first encounters a case of alleged or suspected abuse is not responsible for deciding whether or not abuse has occurred. This is the task of the professional protection agencies following a referral to them of concerns about a child or vulnerable person.

Sharing concerns with parents or carers

LHMTC is committed to work in partnership with parents or carers where there are concerns about their children and vulnerable persons. Therefore, in most situations, it would be important to talk to parents and carers to help clarify initial concerns. However, this should only take place after consultation with Adult Social Services/Children's Services/Police and this liaison would therefore usually be undertaken by a designated person.

Clearly, there are circumstances in which a child or vulnerable person might be placed at even greater risk if concerns are shared (e.g. where a parent or carer is responsible for the abuse or not able to respond to the situation appropriately).

6.2 Responding to signs and suspicions of abuse

Everyone acting on behalf of LHMTTC has a responsibility to act on any concerns and to protect children and vulnerable persons in order that appropriate agencies can then make enquiries and take necessary action to protect the children or vulnerable persons.

Reporting procedure

Any person volunteering on behalf of LHMTTC who is concerned about a child or a vulnerable person should record these concerns and any conversations they may have had with the child/vulnerable person and their parent or carer and report them to the Artistic Director or Head Chaperones immediately. The written report should be signed and dated by the person making the report and the Artistic Director or Head Chaperones where possible immediately or at the soonest possible opportunity.

- Upon receipt of such a report the Artistic Director or Head Chaperones should immediately report the incident to the Chair of Trustees.
- The Chair of Trustees along with the Artistic Director or Head Chaperones informed will assess the incident and will decide what appropriate action needs to be taken and whether external protection agencies or the police need to be involved
- LHMTTC will co-operate fully with any investigation carried out by these agencies in line with their procedures

Records and information

Information passed to the external protection agencies or police must be as helpful as possible, hence the necessity for making a detailed report at the time of the disclosure / concern. Information in this report should include:

- The nature of the allegation
- A description of any visible bruising or other injuries, do not ask the child or vulnerable adult to show you any injuries or bruising that are not visible when fully clothed
- The child or vulnerable person's account, if it can be given, of what has happened and how any bruising or other injuries occurred
- Witnesses to the incident(s)
- Any times, dates or other relevant information
- A clear distinction between what is fact, opinion or hearsay

Reporting the matter to the Police or protection agencies should not be delayed in an attempt to obtain more information.

A record should also be made of the name of the member of volunteers and the Police Officer/protection agency volunteer's member to whom the concerns were passed, together with the time and date of the call, in case any follow-up is needed. A note of any crime report number should also be taken.

6.3 Responding to suspicions or allegations against volunteers

Any concerns for the welfare of a child or vulnerable person, arising from abuse or harassment by a member or volunteers, must be reported immediately. This action will serve not only to protect a child or vulnerable person but also colleagues from false allegations.

Volunteers are often the first to realise that there may be something seriously wrong in their work environment. However, they may not want to

express their concerns because they feel that speaking up would be disloyal to their colleagues and that there is a possibility that their concerns are unfounded. They may also fear harassment or victimisation.

It is acknowledged that feelings generated by the discovery that a member of volunteers is, or may be, abusing a child or vulnerable person, will raise concerns among other volunteers. This includes the difficulties inherent in reporting such matters.

LHMTC acknowledges that this is an extremely sensitive issue and assures all volunteers that it will fully support and protect anyone who, in good faith (without malicious intent), reports his or her concerns about a colleague's practice or the possibility that a child or vulnerable person may be being abused.

Types of Investigation

Where there is a complaint of abuse against a member of volunteers or volunteer, there may be three types of investigation:

- Children and Vulnerable Persons protection through Children's services, Adult Social Service and or the Police
- Civil proceedings could also be instigated by the person or family of the person who alleged the abuse. The results of the Police and protection agency investigations may well influence LHMTC's disciplinary investigation, but not necessarily
- If following consideration, the allegation is clearly about poor practice, the matter will be dealt with as a misconduct issue following LHMTC's Disciplinary Procedure

The following action should be taken if there is any concern relating to a member of volunteers where it is suspected that abuse has taken place:

- Any suspicion that a member of volunteers has abused a child or a vulnerable person should be reported to the Artistic Director or Head Chaperones immediately.
- The Artistic Director or Head Chaperones will take such steps as they feel appropriate to ensure the safety of the child or vulnerable person in question and any other children and vulnerable persons who may be at risk
- The Artistic Director or Head Chaperones will report the incident to the Chair of Trustees
- If the allegation concerns either the Artistic Director, or other Directors (Head Chaperones and suchlike) the Chair of Trustees will be called upon to continue the investigation
- The Chair of Trustees will seek advice from protection agencies or the Police. The report should be made direct to the Police if out-of-hours.

Confidentiality

Every effort should be made to ensure that confidentiality is maintained for all concerned. Information should be handled and disseminated only to those designated to deal with child or vulnerable persons protection and Management or Trustees within LHMTC. The parents or carer of the person who is alleged to have been abused will be informed through protection

agencies. The person accused of abuse will be informed either through Chain of Command, the Chair of Trustees or the Police.

Any information will be stored in a secure place with access limited to the relevant Management volunteers in line with Data Protection laws (e.g. that information is accurate, regularly updated, relevant and secure).

Internal enquiries and suspension

LHMTC will discuss the appropriateness of suspension during an accusation of abuse with the relevant agencies and in accordance with the Disciplinary Policy.

If suspension is activated irrespective of the findings of any external investigation LHMTC will assess all individual cases under its disciplinary procedures, to decide whether a member of volunteers can be re-instated and how this can be sensitively handled.

LHMTC will reach a decision based on the available information and on a balance of probability basis, whether an allegation is true. The welfare of children and vulnerable persons will always remain paramount.

Support and guidance for volunteers will be sought after any accusations, true or false; support will be accessed through protection agencies for any victims of abuse.

6.4 Allegations of previous abuse

Allegations of abuse may be made some time after the event for example, by an adult who was abused as a child by a member of volunteers who is still currently working with children and vulnerable persons. Where such an allegation is made, the procedures as detailed above should be used and the matter reported to the police by the relevant Management authority as in the guidance for current abuse claims (6.3). This is because other children and vulnerable persons, either within or outside the community may be at risk from this person. Anyone who has a previous criminal conviction for offences related to children and vulnerable persons abuse is automatically excluded from working with children and vulnerable persons.

6.5 Action if bullying is suspected

The same procedure should be followed as set out in Section 6.2 above if bullying is suspected.

- All signs of bullying should be taken seriously
- All children and vulnerable persons should be encouraged to speak and share their concerns
- The victim should be helped to speak out and tell the person in charge or someone in authority
- An open environment should be created
- All allegations should be investigated and action taken to ensure the victim is safe. The victim and bully (ies) should be spoken to separately
- Volunteers should reassure the victim that they can be trusted and will help them, although they cannot promise not to tell anyone else
- Records should be kept of what is said
- Volunteers should report any concerns to their Line Manager

Those responsible within the environment where the bullying took place should:

- Explain the situation to the bully(ies)
- Make an effort to get the bully(ies) to understand the consequences of their behaviour
- Seek an apology to the victim
- Inform all carers or parents involved
- Ensure any borrowed items are returned to the victim
- Apply appropriate sanctions as necessary
- Encourage and support the bully (ies) to change their behaviour through appropriate means
- Arrange any meetings with parents and or carers to report on progress
- Appropriate volunteers should be informed of any actions taken
- Ensure written records of any actions taken are kept as necessary.

7.1 Review of policies and procedures

This Policy and Procedures will be reviewed annually and as required to ensure that it remains effective and that all legal and good practice requirements are followed.



Compassionate Leave Guidelines

Statement of Intent

The death of a close relative is a difficult time for volunteers. The closer the relationship is between the volunteer and the person who has died, the greater the need to adopt a sensitive approach.

These guidelines provide a framework for granting of Compassionate Leave, bearing in mind that the extent of leave depends on a number of factors. Granting compassionate leave with regards to LHMTTC, is only applicable to volunteers who hold offices (e.g. Artistic Director, Musical Director) However, compassionate leave generally is automatically granted on receiving news.

1. Factors to be considered

The relationship of the volunteer to the person who has died, a formal family relationship is not necessarily an accurate reflection of the closeness of a family tie; for example, an aunt or grandparent may act as a parent, in adult life brothers and sisters can be distant or inseparable.

Personal responsibilities, for example, the volunteer may have responsibility for arranging the funeral.

Geographical location of the funeral and the travelling time involved.

Cultural observances and faith traditions.

The recovery time needed before the volunteer can cope with the demands of his/her duties.

2. Leave Entitlement

LHMTTC Leave entitlement remains flexible (i.e. there are no strict guidelines as to the amount of time required or requested).



Confidentiality Policy

Statement of Intent

All people who approach Lavender Hill Mob Theatre Company (LHMTC) for information or advice have a right to expect that information held by LHMTC regarding them is treated with respect and that all volunteers with whom they come in contact with abide by the principles outlined in this policy. If a user feels that confidentiality has been breached they have the right to complain. In this event they should be directed to the Comments and Complaints Procedure.

1. General principles

- 1.1 All persons contacting LHMTC have a reasonable right to assume that any disclosure of information they make will be treated in confidence. within the organisation and will not be passed on without their consent
- 1.2 However, volunteers should not promise confidentiality where a person discloses matters relating to child protection or the protection of vulnerable adults. Information will only be passed on in accordance with current good practice and local authority procedures.
- 1.3 LHMTC recognises that volunteers gain information about individuals and organisations during the course of their roles. In most cases such information will not be stated as confidential and volunteers may have to exercise common sense and discretion in identifying whether information is expected to be confidential. This policy aims to give guidance but if in doubt, seek advice from the Chair of Trustees.
- 1.4 Volunteers are able to share information with their colleagues in order to discuss issues, seek advice, and share roles. However, this must always be done in ways which are respectful and which avoid 'labelling' or 'gossip'.
- 1.5 It is not appropriate to discuss a person's personal and private affairs without their prior consent.
- 1.6 Volunteers should avoid talking about organisations or individuals in social settings.
- 1.7 Volunteers will not disclose to anyone, other than the Chair of Trustees, any information considered sensitive, personal, financial or private without the knowledge or consent of the individual, or an officer, in the case of an organisation.
- 1.8 There may be training or other settings where volunteers would want to discuss difficult situations to gain a wider perspective on how to approach a problem. If this involves other organisations, then consent must be sought. Alternatively, a discussion may take place with names or identifying information remaining confidential.

2. Why information is held

- 2.1 Most information held by LHMTTC relates to voluntary and community organisations, volunteers, trustees or services which support or fund them, hereafter known as service users.
- 2.2 Information is kept to enable LHMTTC volunteers to understand the history and activities of organisations in order to deliver the most appropriate services.
- 2.3 LHMTTC has a role in maintaining links with voluntary and community organisations and keeps contact details which are passed on to any enquirer (where appropriate) except where the group or organisation expressly requests that the details remain confidential.
- 2.4 Information about volunteers is kept confidential unless (in the case of registered Matron/Chaperones) statutory agencies approach LHMTTC requesting volunteer chaperones (their information is held on-file by Norfolk County Council). However, no information will be disclosed to any other third party.
- 2.5 Information about students attending LHMTTC is also kept confidential unless there is a relevant specific request from the educational establishment they are currently attending. No information is given to any other third party.
- 2.6 Statistics on general membership (including ethnicity and disability) is kept for the purposes of monitoring our equal opportunities policy and also for reporting back to funders.

3. Access to information

- 3.1 Information is confidential to LHMTTC as an organisation and may be passed to volunteers or trustees to ensure the best quality for service users as the need arises.
- 3.2 Where information is sensitive, i.e. it involves disputes or legal issues it will be confidential to the volunteer dealing with the case and the Head Chaperone. Such information should be clearly labelled 'Confidential' and should state the names of the volunteers entitled to access the information and the name of the individual or group who may request access to the information.
- 3.3 Volunteers will not withhold information from the Chair of Trustees unless it is purely personal.
- 3.4 Service users may have sight of LHMTTC records held in their name or that of their organisation. The request must be in writing to the Chair of Trustees giving 10 days notice and be signed by the individual, or in the case of an organisation's records, by the Chair of Trustees. Sensitive information as outlined in paragraph 3.2 will only be made available to the person or organisation named on the file.
- 3.5 Volunteers may have sight of their personnel records by giving 14 days' notice in writing to the Chair of Trustees.
- 3.6 When photocopying or working on confidential documents, volunteers must ensure they are not seen by people in passing. This also applies to information on computer screens.
- 3.7 Confidential information should never be sent via e-mail without a password.

4. Storing information

- 4.1 General non-confidential information about organisations is kept in unlocked filing cabinets with open access to all LHMTTC volunteers.
- 4.2 Information about volunteers, students and other individuals will be kept in lockable filing cabinets by the Secretary. The Secretary must ensure that Trustees

or other positions of authority (e.g. Head Chaperone, Directors and suchlike) know how to gain access.

- 4.3 Volunteers' personnel information will be kept in lockable filing cabinets by the Secretary and will be accessible to the Chair of Trustees.
- 4.4 Files or filing cabinet drawers bearing confidential information should be labelled 'confidential'. Confidential information held on the Computer should be password protected.
- 4.5 In an emergency situation, the Chair of Trustees and/or Secretary may authorise access to files by other people.
- 4.6 When there is no longer a need to keep sensitive information, this information will be shredded/burned and not simply thrown out.

5. Duty to disclose information

- 5.1 Volunteers believing an illegal act has taken place or that a user is at risk of harming themselves or others, must report this to the Chair of Trustees who will, if appropriate, protect the source and report it to the proper authorities.
- 5.2 Service users should be informed of this disclosure.
- 5.3 There is a legal duty to disclose certain illegal acts to the appropriate authorities.

6. Disclosure

- 6.1 LHMTTC complies fully with the DBS Code of Practice regarding the correct handling, use, storage, retention and disposal of Disclosures and Disclosure information.
- 6.2 Disclosure information is always kept separately from an applicant's personnel file in secure storage with access limited to those who are entitled to see it as part of their duties. It is a criminal offence to pass this information to anyone who is not entitled to receive it.
- 6.3 Documents will be kept for six months and then destroyed by secure means. Photocopies will not be kept. However, LHMTTC may keep a record of the date of issue of a Disclosure, the name of the subject, the type of Disclosure requested, the position for which the Disclosure was requested, the unique reference number of the Disclosure and the details of the recruitment decision taken.
- 6.4 Any disclosure without consent of what could reasonably be construed as private information unrelated to the service provided by LHMTTC is a misuse and an abuse of privacy and may subject to disciplinary action.

7. Data Protection Act

- 7.1 Information about individuals, whether on computer or on paper, falls within the scope of the Data Protection Act and must comply with the data protection principles. These are that personal data must be:
 - Obtained and processed fairly and lawfully
 - Held only for specified purposes
 - Adequate, relevant and not excessive
 - Accurate and up to date
 - Not kept longer than necessary
 - Processed in accordance with the Act
 - Kept secure and protected
 - Not transferred out of Europe

7.2 Information held on the database which an organisation does not wish to share is marked as private and must not be revealed to anyone outside LHMTTC.

8. Breach of confidentiality

8.1 Volunteers who are dissatisfied with the conduct or actions of other volunteers or LHMTTC should raise this with the Chair of Trustees using the comments and complaints procedure, if necessary, and not discuss their dissatisfaction outside LHMTTC.

8.2 Volunteers accessing unauthorised files or breaching confidentiality may face disciplinary action. Ex-volunteers breaching confidentiality may face legal action.

9. Whistleblowing

9.1 Where a member of the Trustees has concerns about the use of LHMTTC funds, he or she may refer directly to the Chair of Trustees or Treasurer outside the usual grievance procedure.

9.2 Volunteers who are concerned about wrongdoings within the organisation are encouraged to raise their concerns internally with the Chair of Trustees. The Whistle blowers Act (July 1999) allows external disclosure (for instance to police or media) as long as there are good reasons (which are detailed by the Act) for doing so.

10. Confidentiality and Retiring or Leaving Volunteer members

10.1 LHMTTC asks volunteers that they respect the rights of other organisations to conceal their contact details from other organisations and the general public. They ask that when sending a large group email that email addresses are concealed from view by using the "BCC" option when sending emails. Further to this LHMTTC asks that leaving or retiring members of volunteers do not retain work email addresses for their own personal use after they have left.

10.2 During their time as a volunteer of LHMTTC individuals will have access to information stored on the database, with the Chair of Trustees consent. LHMTTC therefore requires that volunteers adhere to the confidentiality policy and Data protection policy and attempt to take no information that is the intellectual property of the LHMTTC with them when they either retire or leave. Any breaches of confidentiality will be followed up accordingly.



LAVENDER
HILL MOB
Theatre Company

Data Protection/GDPR Policy

Introduction

Lavender Hill Mob Theatre Company is committed to protecting the rights and freedoms of data subjects and safely and securely processing their data in accordance with all of our legal obligations.

We hold personal data about our clients and other individuals for a variety of business purposes.

This policy sets out how we seek to protect personal data and that the Data Protection Officer (DPO) be consulted before any significant new data processing activity is initiated to ensure that relevant compliance steps are addressed.

Definitions

<p>Business purposes</p>	<p>The purposes for which personal data may be used by us:</p> <p>Administrative, financial, regulatory, and business development purposes.</p> <p><i>Business purposes include the following:</i></p> <ul style="list-style-type: none"> - <i>Compliance with our legal, regulatory and corporate governance obligations and good practice</i> - <i>Gathering information as part of investigations by regulatory bodies or in connection with legal proceedings or requests</i> - <i>Ensuring business policies are adhered to (such as policies covering email and internet use)</i> - <i>Operational reasons, such as recording transactions, training and quality control, ensuring the confidentiality of commercially sensitive information, security vetting, credit scoring and checking</i> - <i>Investigating complaints</i> - <i>Checking references, ensuring safe working practices, monitoring and managing staff access to systems and facilities and staff absences, administration and assessments</i> - <i>Monitoring staff conduct, disciplinary matters</i> - <i>Marketing our business</i> - <i>Improving services</i>
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<p>Personal data</p>	<p>‘Personal data’ means any information relating to an identified or identifiable natural person (‘data subject’); an identifiable natural person</p>
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	is one who can be identified, directly or indirectly, in particular by reference to an identifier such as a name, an identification number, location data, an online identifier or to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity of that natural person. <i>Personal data we gather may include: individuals' phone number, email address, physical address.</i>
Data controller	'Data controller' means the natural or legal person, public authority, agency or other body which, alone or jointly with others, determines the purposes and means of the processing of personal data; where the purposes and means of such processing are determined by law.
Data processor	'Processor' means a natural or legal person, public authority, agency or other body which processes personal data on behalf of the controller.
Processing	'Processing' means any operation or set of operations which is performed on personal data or on sets of personal data, whether or not by automated means, such as collection, recording, organisation, structuring, storage, adaptation or alteration, retrieval, consultation, use, disclosure by transmission, dissemination or otherwise making available, alignment or combination, restriction, erasure or destruction.
Supervisory authority	This is the national body responsible for data protection. The supervisory authority for our organisation is the Information Commissioners Office, although due to the simple nature of our data collection, we are not legally required to register.

Scope

This policy applies to all who must be familiar with this policy and comply with its terms.

This policy supplements our other policies relating to internet and email use. We may supplement or amend this policy by additional policies and guidelines from time to time. Any new or modified policy will be circulated to staff before being adopted.

Who is responsible for this policy?

As our data protection officer (DPO), LHMTC Admin Team has overall responsibility for the day-to-day implementation of this policy. You should contact the DPO for further information about this policy if necessary.

**LHMTTC Admin Team,
5a, St. James Street, King's Lynn, Norfolk. PE30 5DA
Telephone: 01553 340153
Email: info@lhmtc.co.uk**

The principles

Lavender Hill Mob Theatre Company shall comply with the principles of data protection (the Principles) enumerated in the EU General Data Protection Regulation. We will make every effort possible in everything we do to comply with these principles. The Principles are:

1. Lawful, fair and transparent

Data collection must be fair, for a legal purpose and we must be open and transparent as to how the data will be used

2. Limited for its purpose

Data can only be collected for a specific purpose.

3. Data minimisation

Any data collected must be necessary and not excessive for its purpose.

4. Accurate

The data we hold must be accurate and kept up to date.

5. Retention

We cannot store data longer than necessary.

6. Integrity and confidentiality

The data we hold must be kept safe and secure.

Accountability and transparency

We must ensure accountability and transparency in all our use of personal data. We must show how we comply with each Principle. You are responsible for keeping a written record of how all the data processing activities you are responsible for comply with each of the Principles. This must be kept up to date and must be approved by the DPO.

To comply with data protection laws and the accountability and transparency Principle of GDPR, we must demonstrate compliance. You are responsible for understanding your particular responsibilities to ensure we meet the following data protection obligations:

- Fully implement all appropriate technical and organisational measures
- Maintain up to date and relevant documentation on all processing activities
- Conducting Data Protection Impact Assessments
- Implement measures to ensure privacy by design and default, including:
 - Data minimisation
 - Pseudonymisation
 - Transparency
 - Allowing individuals to monitor processing
 - Creating and improving security and enhanced privacy procedures on an ongoing basis

Our procedures

Fair and lawful processing

We must process personal data fairly and lawfully in accordance with individuals' rights under the first Principle. This generally means that we should not process personal data unless the individual whose details we are processing has consented to this happening.

If we cannot apply a lawful basis (explained below), our processing does not conform to the first principle and will be unlawful. Data subjects have the right to have any data unlawfully processed erased

Controlling vs. processing data

LHMTC Admin Team is classified as a [data controller (and/or) data processor]. We must maintain our appropriate registration with the Information Commissioners Office in order to continue lawfully [controlling (and/or) processing] data. As LHMTC is a charity and collects

and manages data purely for its own records, we have no legal requirement to register with the ICO.

[For data processors] As a data processor, we must comply with our contractual obligations and act only on the documented instructions of the data controller. If we at any point determine the purpose and means of processing out with the instructions of the controller, we shall be considered a data controller and therefore breach our contract with the controller and have the same liability as the controller. As a data processor, we must:

- Not use a sub-processor without written authorisation of the data controller
- Co-operate fully with the ICO or other supervisory authority
- Ensure the security of the processing
- Keep accurate records of processing activities
- Notify the controller of any personal data breaches

If you are in any doubt about how we handle data, contact the DPO for clarification.

Lawful basis for processing data

We must establish a lawful basis for processing data. Ensure that any data you are responsible for managing has a written lawful basis approved by the DPO. It is your responsibility to check the lawful basis for any data you are working with and ensure all of your actions comply the lawful basis. At least one of the following conditions must apply whenever we process personal data:

1. Consent

We hold recent, clear, explicit, and defined consent for the individual's data to be processed for a specific purpose.

2. Contract

The processing is necessary to fulfil or prepare a contract for the individual.

3. Legal obligation

We have a legal obligation to process the data (excluding a contract).

4. Vital interests

Processing the data is necessary to protect a person's life or in a medical situation.

5. Public function

Processing necessary to carry out a public function, a task of public interest or the function has a clear basis in law.

6. Legitimate interest

The processing is necessary for our legitimate interests. This condition does not apply if there is a good reason to protect the individual's personal data which overrides the legitimate interest. Please see our privacy policy for reasons why we adopt the legitimate interest criteria.

Deciding which condition to rely on

If you are making an assessment of the lawful basis, you must first establish that the

processing is necessary. This means the processing must be a targeted, appropriate way of achieving the stated purpose. You cannot rely on a lawful basis if you can reasonably achieve the same purpose by some other means.

Remember that more than one basis may apply, and you should rely on what will best fit the purpose, not what is easiest.

Consider the following factors and document your answers:

- What is the purpose for processing the data?
- Can it reasonably be done in a different way?
- Is there a choice as to whether or not to process the data?
- Who does the processing benefit?
- After selecting the lawful basis, is this the same as the lawful basis the data subject would expect?
- What is the impact of the processing on the individual?
- Are you in a position of power over them?
- Are they a vulnerable person?
- Would they be likely to object to the processing?
- Are you able to stop the processing at any time on request, and have you factored in how to do this?

Our commitment to the first Principle requires us to document this process and show that we have considered which lawful basis best applies to each processing purpose, and fully justify these decisions.

We must also ensure that individuals whose data is being processed by us are informed of the lawful basis for processing their data, as well as the intended purpose. This should occur via a privacy notice. This applies whether we have collected the data directly from the individual, or from another source.

If you are responsible for making an assessment of the lawful basis and implementing the privacy notice for the processing activity, you must have this approved by the DPO.

Special categories of personal data

What are special categories of personal data?

Previously known as sensitive personal data, this means data about an individual which is more sensitive, so requires more protection. This type of data could create more significant risks to a person's fundamental rights and freedoms, for example by putting them at risk of unlawful discrimination. The special categories include information about an individual's:

- race
- ethnic origin
- politics
- religion
- trade union membership
- genetics

- biometrics (where used for ID purposes)
- health
- sexual orientation

In most cases where we process special categories of personal data we will require the data subject's *explicit* consent to do this unless exceptional circumstances apply or we are required to do this by law (e.g. to comply with legal obligations to ensure health and safety at work). Any such consent will need to clearly identify what the relevant data is, why it is being processed and to whom it will be disclosed.

- The condition for processing special categories of personal data must comply with the law. If we do not have a lawful basis for processing special categories of data that processing activity must cease.

Responsibilities

Our responsibilities:

- Analysing and documenting the type of personal data we hold
- Checking procedures to ensure they cover all the rights of the individual
- Identify the lawful basis for processing data
- Ensuring consent procedures are lawful
- Implementing and reviewing procedures to detect, report and investigate personal data breaches
- Store data in safe and secure ways
- Assess the risk that could be posed to individual rights and freedoms should data be compromised

Your responsibilities

- Fully understand your data protection obligations
- Check that any data processing activities you are dealing with comply with our policy and are justified
- Do not use data in any unlawful way
- Do not store data incorrectly, be careless with it or otherwise cause us to breach data protection laws and our policies through your actions
- Comply with this policy at all times
- Raise any concerns, notify any breaches or errors, and report anything suspicious or contradictory to this policy or our legal obligations without delay

Responsibilities of the Data Protection Officer:

- Keeping the board updated about data protection responsibilities, risks and issues
- Reviewing all data protection procedures and policies on a regular basis
- Arranging data protection training and advice for all staff members and those included in this policy

- Answering questions on data protection from staff, board members and other stakeholders
- Responding to individuals who wish to know which data is being held on them by us
- Checking and approving with third parties that handle the company's data any contracts or agreement regarding data processing

Responsibilities of the IT Manager (where applicable)

- Ensure all systems, services, software and equipment meet acceptable security standards
- Checking and scanning security hardware and software regularly to ensure it is functioning properly
- Researching third-party services, such as cloud services the company is considering using to store or process data

Responsibilities of the Marketing Manager (where applicable)

- Approving data protection statements attached to emails and other marketing copy
- Addressing data protection queries from clients, target audiences or media outlets
- Coordinating with the DPO to ensure all marketing initiatives adhere to data protection laws and the company's Data Protection Policy

Accuracy and relevance

We will ensure that any personal data we process is accurate, adequate, relevant and not excessive, given the purpose for which it was obtained. We will not process personal data obtained for one purpose for any unconnected purpose unless the individual concerned has agreed to this or would otherwise reasonably expect this.

Individuals may ask that we correct inaccurate personal data relating to them. If you believe that information is inaccurate you should record the fact that the accuracy of the information is disputed and inform the DPO.

Data security

You must keep personal data secure against loss or misuse. Where other organisations process personal data as a service on our behalf, the DPO will establish what, if any, additional specific data security arrangements need to be implemented in contracts with those third-party organisations.

Storing data securely

- In cases when data is stored on printed paper, it should be kept in a secure place where unauthorised personnel cannot access it
- Printed data should be shredded when it is no longer needed
- Data stored on a computer should be protected by strong passwords that are changed regularly. We encourage all staff to use a password manager to create and store their passwords.

- Data stored on CDs or memory sticks must be encrypted or password protected and locked away securely when they are not being used
- The DPO must approve any cloud used to store data
- Servers containing personal data must be kept in a secure location, away from general office space
- Data should be regularly backed up in line with the company's backup procedures
- Data should never be saved directly to mobile devices such as laptops, tablets or smartphones
- All servers containing sensitive data must be approved and protected by security software
- All possible technical measures must be put in place to keep data secure

Data retention

We must retain personal data for no longer than is necessary. What is necessary will depend on the circumstances of each case, taking into account the reasons that the personal data was obtained, but should be determined in a manner consistent with our data retention guidelines.

Transferring data internationally

There are restrictions on international transfers of personal data. You must not transfer personal data abroad, or anywhere else outside of normal rules and procedures without express permission from the DPO.

Rights of individuals

Individuals have rights to their data which we must respect and comply with to the best of our ability. We must ensure individuals can exercise their rights in the following ways:

1. Right to be informed

- Providing privacy notices which are concise, transparent, intelligible and easily accessible, free of charge, that are written in clear and plain language, particularly if aimed at children.
- Keeping a record of how we use personal data to demonstrate compliance with the need for accountability and transparency.

2. Right of access

- Enabling individuals to access their personal data and supplementary information
- Allowing individuals to be aware of and verify the lawfulness of the processing activities

3. Right to rectification

- We must rectify or amend the personal data of the individual if requested because it is inaccurate or incomplete.
- This must be done without delay, and no later than one month. This can be extended to two months with permission from the DPO.

4. Right to erasure

- We must delete or remove an individual's data if requested and there is no compelling reason for its continued processing.

5. Right to restrict processing

- We must comply with any request to restrict, block, or otherwise suppress the processing of personal data.
- We are permitted to store personal data if it has been restricted, but not process it further. We must retain enough data to ensure the right to restriction is respected in the future.

6. Right to data portability

- We must provide individuals with their data so that they can reuse it for their own purposes or across different services (if required)
- We must provide it in a commonly used, machine-readable format, and send it directly to another controller if requested.

7. Right to object

- We must respect the right of an individual to object to data processing based on legitimate interest or the performance of a public interest task.
- We must respect the right of an individual to object to direct marketing, including profiling.
- We must respect the right of an individual to object to processing their data for scientific and historical research and statistics.

8. Rights in relation to automated decision making and profiling

- We must respect the rights of individuals in relation to automated decision making and profiling.
- Individuals retain their right to object to such automated processing, have the rationale explained to them, and request human intervention.

Privacy notices

When to supply a privacy notice

A privacy notice must be supplied at the time the data is obtained if obtained directly from the data subject. If the data is not obtained directly from the data subject, the privacy notice must be provided within a reasonable period of having obtained the data, which mean within one month. If the data is being used to communicate with the individual, then the privacy notice must be supplied at the latest when the first communication takes place. If disclosure to another recipient is envisaged, then the privacy notice must be supplied prior to the data being disclosed.

What to include in a privacy notice

Privacy notices must be concise, transparent, intelligible and easily accessible. They are provided free of charge and must be written in clear and plain language, particularly if aimed at children

The following information must be included in a privacy notice to all data subjects:

- Identification and contact information of the data controller and the data protection officer
- The purpose of processing the data and the lawful basis for doing so
- The legitimate interests of the controller or third party, if applicable
- The right to withdraw consent at any time, if applicable
- The category of the personal data (only for data not obtained directly from the data subject)
- Any recipient or categories of recipients of the personal data
- Detailed information of any transfers to third countries and safeguards in place
- The retention period of the data or the criteria used to determine the retention period, including details for the data disposal after the retention period
- The right to lodge a complaint with the ICO, and internal complaint procedures
- The source of the personal data, and whether it came from publicly available sources (only for data not obtained directly from the data subject)
- Any existence of automated decision making, including profiling and information about how those decisions are made, their significances and consequences to the data subject
- Whether the provision of personal data is part of a statutory or contractual requirement or obligation and possible consequences for any failure to provide the data (only for data obtained directly from the data subject)

Subject Access Requests

What is a subject access request?

An individual has the right to receive confirmation that their data is being processed, access to their personal data and supplementary information which means the information which should be provided in a privacy notice.

How we deal with subject access requests

We must provide an individual with a copy of the information the request, free of charge. This must occur without delay, and within one month of receipt. We endeavour to provide data subjects access to their information in commonly used electronic formats, and where possible, provide direct access to the information through a remote accessed secure system.

If complying with the request is complex or numerous, the deadline can be extended by two months, but the individual must be informed within one month. You must obtain approval from the DPO before extending the deadline.

We can refuse to respond to certain requests, and can, in circumstances of the request being manifestly unfounded or excessive, charge a fee. If the request is for a large quantity of data, we can request the individual specify the information they are requesting. This can only be done with express permission from the DPO.

Once a subject access request has been made, you must not change or amend any of the data that has been requested. Doing so is a criminal offence.

Data portability requests

We must provide the data requested in a structured, commonly used and machine-readable format. This would normally be a CSV file, although other formats are acceptable. We must provide this data either to the individual who has requested it, or to the data controller they have requested it be sent to. This must be done free of charge and without delay, and no later than one month. This can be extended to two months for complex or numerous requests, but the individual must be informed of the extension within one month and you must receive express permission from the DPO first.

Right to erasure

What is the right to erasure?

Individuals have a right to have their data erased and for processing to cease in the following circumstances:

- Where the personal data is no longer necessary in relation to the purpose for which it was originally collected and / or processed
- Where consent is withdrawn
- Where the individual objects to processing and there is no overriding legitimate interest for continuing the processing
- The personal data was unlawfully processed or otherwise breached data protection laws
- To comply with a legal obligation
- The processing relates to a child

How we deal with the right to erasure

We can only refuse to comply with a right to erasure in the following circumstances:

- To exercise the right of freedom of expression and information
- To comply with a legal obligation for the performance of a public interest task or exercise of official authority
- For public health purposes in the public interest
- For archiving purposes in the public interest, scientific research, historical research or statistical purposes
- The exercise or defence of legal claims

If personal data that needs to be erased has been passed onto other parties or recipients, they must be contacted and informed of their obligation to erase the data. If the individual asks, we must inform them of those recipients.

The right to object

Individuals have the right to object to their data being used on grounds relating to their particular situation. We must cease processing unless:

- We have legitimate grounds for processing which override the interests, rights and freedoms of the individual.
- The processing relates to the establishment, exercise or defence of legal claims.

We must always inform the individual of their right to object at the first point of communication, i.e. in the privacy notice. We must offer a way for individuals to object online.

The right to restrict automated profiling or decision making

We may only carry out automated profiling or decision making that has a legal or similarly significant effect on an individual in the following circumstances:

- It is necessary for the entry into or performance of a contract.
- Based on the individual's explicit consent.
- Otherwise authorised by law.

In these circumstances, we must:

- Give individuals detailed information about the automated processing.
- Offer simple ways for them to request human intervention or challenge any decision about them.
- Carry out regular checks and user testing to ensure our systems are working as intended.

Third parties

Using third party controllers and processors (not normally applicable to LHMTG, but - if necessary)

As a [data controller (and/or) data processor], we must have written contracts in place with any third party [data controllers (and/or) data processors] that we use. The contract must contain specific clauses which set out our and their liabilities, obligations and responsibilities.

[For controllers] As a data controller, we must only appoint processors who can provide sufficient guarantees under GDPR and that the rights of data subjects will be respected and protected.

[For processors] As a data processor, we must only act on the documented instructions of a controller. We acknowledge our responsibilities as a data processor under GDPR and we will protect and respect the rights of data subjects.

Contracts

Contracts must comply with the standards set out by the ICO and, where possible, follow the standard contractual clauses which are available. Our contracts with [data controllers (and/or) data processors] must set out the subject matter and duration of the processing, the nature and stated purpose of the processing activities, the types of personal data and categories of data subject, and the obligations and rights of the controller.

At a minimum, our contracts must include terms that specify:

- Acting only on written instructions
- Those involved in processing the data are subject to a duty of confidence
- Appropriate measures will be taken to ensure the security of the processing
- Sub-processors will only be engaged with the prior consent of the controller and under a written contract
- The controller will assist the processor in dealing with subject access requests and allowing data subjects to exercise their rights under GDPR
- The processor will assist the controller in meeting its GDPR obligations in relation to the security of processing, notification of data breaches and implementation of Data Protection Impact Assessments
- Delete or return all personal data at the end of the contract
- Submit to regular audits and inspections and provide whatever information necessary for the controller and processor to meet their legal obligations.
- Nothing will be done by either the controller or processor to infringe on GDPR.

Criminal offence data

Criminal record checks

Any criminal record checks are justified by law. Criminal record checks cannot be undertaken based solely on the consent of the subject. We cannot keep a comprehensive register of criminal offence data. All data relating to criminal offences is considered to be a special category of personal data and must be treated as such. You must have approval from the DPO prior to carrying out a criminal record check.

Audits, monitoring and training

Data audits

Regular data audits to manage and mitigate risks will inform the data register. This contains information on what data is held, where it is stored, how it is used, who is responsible and any further regulations or retention timescales that may be relevant. You must conduct a regular data audit as defined by the DPO and normal procedures.

Monitoring

Everyone must observe this policy. The DPO has overall responsibility for this policy. [Our organisation] will keep this policy under review and amend or change it as required. You must notify the DPO of any breaches of this policy. You must comply with this policy fully and at all times.

Training

You will receive adequate training on provisions of data protection law specific for your role. You must complete all training as requested. If you move role or responsibilities, you are responsible for requesting new data protection training relevant to your new role or responsibilities.

If you require additional training on data protection matters, contact the DPO.

Reporting breaches

Any breach of this policy or of data protection laws must be reported as soon as practically possible. This means as soon as you have become aware of a breach LHMTC Admin Team has a legal obligation to report any data breaches to the Information Commissioners Office, within [72 hours].

All members of staff have an obligation to report actual or potential data protection compliance failures. This allows us to:

- Investigate the failure and take remedial steps if necessary
- Maintain a register of compliance failures
- Notify the [name of supervisory authority] of any compliance failures that are material either in their own right or as part of a pattern of failures

Any member of staff who fails to notify of a breach or is found to have known or suspected a breach has occurred but has not followed the correct reporting procedures will be liable to disciplinary action.

Failure to comply

We take compliance with this policy very seriously. Failure to comply puts both you and the organisation at risk.

The importance of this policy means that failure to comply with any requirement may lead to disciplinary action under our procedures which may result in dismissal.

If you have any questions or concerns about anything in this policy, do not hesitate to contact the DPO.



Data Retention Policy

1. Purpose:

The purpose of this policy is to ensure that Lavender Hill Mob Theatre Company manages data in an efficient and effective manner, maintains historical records related to its financial and administrative operations, and purges documents as part of its normal management process. By establishing a specific timeline for document purging, this shall also ensure compliance with GDPR.

2. Definitions:

- a. "Document" refers to any item listed in the table below, in either hard copy, or electronic form. Electronic files also include those in audio/visual or emailed forms.
- b. "Administrative" refers to documents pertinent to the day-to-day operations of the Institute.
- c. "Historic" refers to documents that are valuable for maintaining knowledge of the history of the Institute and its work.
- d. "Legal" refers to any document that is a contract or agreement between parties, that contains financial information relevant to IRS filings, or that must be maintained to comply with laws and regulations.
- e. "Recycle/scrap paper" includes disposal by normal recycling methods or reuse as scrap paper for internal printing or note taking.
- f. "Shred" means using a shredder machine to properly shred and dispose of documents.
- g. "Delete" means to delete an electronic file.

3. Labelling and Storage:

All files, both hard copy and electronic, shall be labelled by topic and year (if applicable). Electronic copies shall be saved in appropriate folders on an encrypted hard drive. Hard copies shall be stored in locked filing cabinets.

4. Review and Purging:

Review and purging of files may take place in an ongoing manner but must occur if the information contained ceases to be relevant to the running of the organisation, or the minimum retention requirements stated below.

5. Document Drafts:

Once the final copy of a document has been completed, the drafts may be recycled or deleted, unless they are documents of legal value. For documents determined to be of legal value, drafts containing comments shall be saved for a minimum of two years, and drafts without comment may be destroyed once the final version is complete.

TYPES OF DATA

1. All Electronic Administration Documents

For all these types of documents (Databases, Emails, Letters and suchlike), they will be kept on secure, encrypted hard disks for only as long as they are needed, or serve a purpose. As soon as they become invalid, obsolete, or need to be updated to comply with the day-to-day running of the organisation, they will be deleted.

The Data Protection Officer will use common sense in determining which documents need to be kept for any length of time and be responsible for their secure deletion from the system. However, the Data Protection Officer will adhere to any legal guidelines which specifically state for how long certain documents need to be retained for.

2. All Paper Administration Documents

For all these types of documents (Insurance, Bank Statements, Membership Forms, Registers, Payment Slips and suchlike), they will be kept in secure locked filing cabinets, with restricted access via a key safe. As soon as they become invalid, obsolete, or need to be updated to comply with the day-to-day running of the organisation, they will be deleted by means of shredding and/or burning.

The Data Protection Officer will use common sense in determining which documents need to be kept for any length of time and be responsible for their secure deletion. However, the Data Protection Officer will adhere to any legal guidelines which specifically state for how long certain documents need to be retained for.



LAVENDER
HILL MOB
Theatre Company

Environmental Policy

Statement of Intent

Lavender Hill Mob Theatre Company (LHMTC) recognises that it is in its own best interests to be aware of how work-related activities affect the environment. It will adopt appropriate steps to minimise or eliminate adverse impacts on the environment. The following policy and guidelines set out the way in which LHMTC aim to do this.

Policy

Lavender Hill Mob Theatre Company aims to

- Demonstrate best practice when considering environmental issues
- Abide by all relevant environmental legislation as an absolute minimum
- Operate in an ecologically sustainable way – reducing waste, energy and resources
Reduce, Reuse and Recycle
- Raise awareness, encourage participation and advise volunteers in environmental issues appropriate to the workplace
- Assess the impact on the environment in relation to purchasing and make every effort to ensure that wherever possible purchases are environmentally friendly and locally sourced
- Promote the use of public transport, car sharing, walking and cycling where appropriate (through workshops)
- Show commitment to continuous improvement by monitoring progress and reviewing performance on a regular and recorded basis

Guidelines

The following Guidelines are intended to aid the organisation and its volunteers to carry out to the aims of the policy.

1. Volunteer responsibility

To support this outcome volunteers will reduce waste, where practical by:

- Using environmentally friendly products;
- Photocopying using double sided function
- Not leaving phone chargers plugged in longer than necessary
- Not making unnecessary journeys – operate car share where possible
- Switching off monitors if leaving the office for longer than an hour
- Not printing extra agenda's, minutes for meetings

- Lowering heating or reducing the use of air conditioners

2. Volunteer responsibility

To support this outcome volunteers will re-use items, where practical by:

- Re-using paper
- Washing up plastic cups
- Leaving washing up water in the bowl for several uses
- Composting tea bags, coffee filters, vegetable matter
- Refilling ink cartridges if appropriate
- Selling or passing on unwanted office furniture and equipment
- Making better use of internal envelopes

3. Volunteer responsibility

To support this outcome volunteers will recycle items, where practical by:

- Not using new envelopes internally
- Not printing off consultation documents
- Understanding clearly which items can be recycled
- Shred documents that cannot be reused and may contain information relating to the daily working of LHMTTC and reuse shredding where possible
- Making notepads out of scrap paper for internal use

4. The organisation

LHMTTC will undertake a review of this policy and actively seek ways of improving the **Reduce, Re-use and Recycle** aspects. Where applicable, training will be given to all volunteers and will be included in the informal induction process. Any advice and updates on new ways to reduce, re-use and recycle will be shared at Trustee, General Management and Departmental Meetings.



Equal Opportunities Policy

1. Statement of intent

1.1 Lavender Hill Mob Theatre Company (LHMTC) is committed to engaging in practices and procedures that do not discriminate, which provide equality of opportunity for individuals or groups and that enable them to achieve a full, productive and valuable place within today's society. It is unlawful to discriminate against people of a protected characteristic as defined in the Equality Act 2010. These protected characteristics are:

- Sex
- Sexual Orientation
- Marriage and civil partnership
- Gender re-assignment
- Race
- Religion or belief
- Age
- Disability – including mental illness
- Pregnancy and maternity

1.2 Lavender Hill Mob Theatre Company is also aware that other factors may contribute to people experiencing forms of discrimination. These include language, political beliefs and responsibility for dependents, appearance, geographical area, income level or criminal record. This list is not exhaustive and many other factors may contribute to discriminatory experiences.

1.3 LHMTC will challenge discrimination and lack of opportunity in its own policy and practice. LHMTC will help other organisations and individuals to do the same.

1.4 LHMTC declares that in volunteer practices and provision of services it will combat all forms of discrimination.

2. Definitions & Forms of Discrimination

2.1 Protected Characteristics

The protected characteristics as listed in the Equality Act 2010 are sex, sexual orientation, marriage or civil partnership, gender reassignment, race, religion or belief, age, disability, pregnancy and maternity.

2.2 Direct Discrimination

This is when you treat someone less favourably than others because of a protected characteristic, whether or not the volunteer possesses that protected characteristic. For example, not employing someone because they are a carer of a disabled person.

2.3 Indirect Discrimination

This is when an employer has a policy, practice or procedure that applies to everyone but particularly disadvantages people who share a protected characteristic, and which cannot be justified in relation to the job.

2.4 Detriment arising from disability

This is a new type of disability discrimination that has been introduced by the Equality Act 2010. It is when an employer treats an employee unfavourably because of something arising as a consequence of the employee's disability, and it cannot be justified in relation to the job. For example, dismissing someone, because of their poor attendance record, when their absence is as a direct consequence of a disability. An employer would be required to show that the dismissal was a proportionate means of achieving a legitimate aim. It is the LHMTC's view that the same procedures should adhere to the Volunteers and the Administration Team of the organisation.

2.5 Duty to make reasonable adjustments

Where an employer's provision, criterion or practice puts a disabled person at a substantial disadvantage in relation to others who are not disabled, the employer has a duty to take reasonable steps to avoid the disadvantage. This may include changes to the working environment, providing auxiliary aids and providing information.

2.6 Harassment

This is unwanted conduct related to a relevant protected characteristic that violates a person's dignity or creates an intimidating, hostile, degrading, humiliating or offensive working environment. This includes protection against third-party harassment where the employer has failed to take reasonable practicable steps to prevent the harassment.

2.7 Victimisation

This is when a person is treated badly because they have made a complaint about discrimination or have given evidence in a discrimination case.

2.8 Positive action

Proportionate steps can be taken by an organisation to enable or encourage people who share a protected characteristic to overcome or minimise a disadvantage, to meet their needs or to participate. Examples include setting equality targets (but not quotas which are unlawful); encouraging people from particular groups to apply where they are under-represented; training for promotion or skill training for volunteers from under-represented groups who show potential.

2.9 Occupational requirement

If an employer can show that possessing a particular protected characteristic is a crucial requirement for a job and is a proportionate means of achieving a legitimate aim, then the employer will not be acting unlawfully to refuse to employ someone who does not possess that characteristic. The exception applies where being of a particular sex, race, disability, religion or belief, sexual orientation or age – or not being a transsexual person, married or a civil partner – is an occupational requirement.

3. Scope of policy

- 3.1 This policy applies to all volunteers, the Trustees, sub-committees, all functions of LHMTC and all others volunteering for or on behalf of LHMTC. However, as the LHMTC is comprised only of Volunteers, LHMTC assumes that they have the same rights as if they were employees of a company (i.e. paid for the work that they do)

4. Implementation

- 4.1 The Equality Act 2010 has consolidated, simplified and expanded existing discrimination law and its main provisions came into force on 1st October 2010. It replaces all the existing equality law including:
- The Equal Pay Act 1970
 - The Sex Discrimination Act 1975
 - The Race Relations Act 1976
 - The Disability Discrimination Act 1995

5. Employment

- 5.1 LHMTC will ensure that:
- Discussion and in-service training is undertaken as necessary for Volunteers and the Trustee Board to combat all forms of harassment bullying & discrimination at work
 - Practice and procedures reflect the diverse needs of its volunteers as well as those to whom services are extended
 - As far as is possible and practicable and proportionate, premises are selected that are adapted suitably to meet the needs of disabled volunteers, visitors and member groups
 - All other appropriate measures are taken to ensure role satisfaction as well as the delivery of service to member groups
 - Volunteer role descriptions impose an obligation on volunteers to observe the Equal Opportunities Policy in all areas of LHMTC work

6. Volunteer development and Training

- 6.1 Decisions about learning and development opportunities will be made in accordance with the LHMTC's Training Policy and all Voluntary workers will have

proportionate access to appropriate opportunities to enable them to develop in line with LHMTC's aims and objectives. LHMTC acknowledges that to implement its Equal Opportunities Policy, the organisation needs to facilitate and promote the following initiatives through training of the Trustee Board, General Committee, Volunteers and any other people working on its behalf on:

- Recruitment and selection processes
- Interview techniques
- Codes of practice
- Disciplinary and grievance procedures
- Awareness and understanding of the implications of the legislation
- References policy

7. Service provision

- 7.1 All LHMTC services are covered by this policy. LHMTC will promote Equal Opportunities in its work with other agencies or individuals. LHMTC services will be reviewed regularly and changed where needed. LHMTC will make every effort to ensure that premises used in relation to its work are accessible and inviting for all members of the community by consulting the relevant legislation and good practice guides.
- 7.2 All trainers, facilitators and consultants providing services to the LHMTC will be required to actively support our Equal Opportunities Policy.

8. Recruitment and selection

- 8.1 LHMTC will ensure that no person or group is treated less favourably in their voluntary capacity because of a protected characteristic or any of the other possible factors that could lead to discrimination, as listed in the Statement of Intent.
- 8.2 Volunteer appointments will be monitored to ensure no discrimination is occurring at the point of selection. A separate recruitment policy gives full details of this process.

9. Purchasing

- 9.1 LHMTC reserves the right not to purchase goods and services from agencies whose activities are contrary to the principles outlined in this policy.

10. The Board

- 10.1 All Trustees and General Committee members will affirm their commitment to the Equal Opportunities Policy.

10.2 The Trustees and General Committee's membership (including co-opted members) should aim to reflect a fair balance and representation of the local community and should endeavour to redress any imbalance of under-represented groups by means of positive action.

11. Implementation and monitoring

11.1 Monitoring of the Equal Opportunities Policy and its implementation is the responsibility of the Trustees. However, application of LHMTTC Equal Opportunities Policy remains the responsibility of each individual member.

11.2 The Trustees will review the policy annually.

11.3 Induction for Trustees, General Committee members and new Volunteers will include a briefing on the Equal Opportunities Policy. A copy of the Equal Opportunities Policy will be given to all Trustees, General Committee Members, Volunteers and to any member on request. Copies of this policy will be freely available to all on request.



Giving References for Organisations & Individuals Policy

Should Lavender Hill Mob Theatre Company (LHMTC) be asked to be a referee for an outside agency or individual, then references will be given pending an approval of the Board of Trustees.

When giving a reference for an organisation LHMTC should ensure that they have a thorough knowledge of the organisations structure and working practises.

The LHMTC should ask for a copy of the application form. Where applicable and if the designated person has not been before, they should visit the organisation's premises if they have one

It is not the policy of the LHMTC for outside agencies or individuals to contact any member of the LHMTC outside office or workshops hours. During normal office or workshop hours, only LHMTC Head Office or Mobile Phone numbers are to be used in such cases. Full details of any telephone conversation(s) together with subsequent emails or letter correspondences should be recorded and held on file and disposed of in accordance with the LHMTC's Confidentiality Policy.

The LHMTC reserves the right to refuse to give a reference should they not be able to fulfil the above criteria or not be able to provide a reference with content which the outside agency or individual would find acceptable.



Health & Safety Policy

1.0 Health and Safety Policy Statement

Health and Safety at Work etc Act 1974

This is the Health and Safety Policy Statement of the Lavender Hill Mob Theatre Company. Our statement of general policy is:

- to provide adequate control of the health and safety risks arising from our activities
- to consult with our volunteers on matters affecting their health and safety
- to provide and maintain safe equipment
- to ensure safe handling and use of substances
- to provide information, instruction and supervision for volunteers
- to ensure all volunteers are competent to do their tasks, and to give them adequate training
- to prevent accidents and cases of work-related ill health
- to maintain safe and healthy working conditions
- to review and revise this policy as necessary at regular intervals

1.1 Responsibilities

The Board of Trustees of Lavender Hill Mob Theatre Company has overall responsibility for the health, safety and welfare of its volunteers. The Board has approved this Health and Safety Policy document.

Organisational Responsibilities

The Board has delegated to the Health & Safety Officer and Matron/Chaperones overall responsibility for health and safety matters as detailed in this policy. The day-to-day responsibility for ensuring this policy is put into practice has been delegated to the Artistic Director.

Volunteers Responsibilities

Each volunteer has a personal responsibility to:

- take reasonable care of your own health and safety
- to take reasonable care not to put other people - fellow volunteers and members of the public - at risk by what you do or don't do in the course of your duties.

- to co-operate with your Artistic Director, making sure you are trained appropriately and you understand and follow the company's health and safety policies
- not to interfere with or misuse anything that's been provided for your health, safety or welfare
- to report any injuries, strains or illnesses you suffer as a result of carrying out your role.
- to tell your Artistic Director if something happens that might affect your ability to fulfil your role (e.g. suffering an injury)

2.0 Arrangements

2.1 Accident/Incident/Health Reporting

When an accident/incident/health problem occurs on the premises full details must be entered into the incident book (which is located in the First Aid Bag and is available during workshops) with the names of any witnesses. The Head Chaperones must be informed and must report the occurrence using the incident book immediately to the Artistic Director. Following an accident, incident or health problem, the Artistic Director together with the nominated responsible person, will conduct an investigation to prevent the health and safety problem from recurring. The Artistic Director and the nominated responsible person will ensure that LHMTTC complies at all times with RIDDOR 95(Reporting of Injuries, Diseases and Dangerous Occurrences Regulations) requirements.

2.2 Electrical Equipment

LHMTTC designated persons for the safe use of electrical equipment are the Musical Director and Technical Director. Where applicable, they will ensure that volunteers receive full information, training and instruction on using electrical equipment safely. Annual inspections of portable electrical equipment are carried out by an approved contractor under the 'Electrical at Work Regulations 1989'. Records of all equipment tested and the results of such tests are retained by LHMTTC until the next annual testing results have been received. In the case of any 'failures' the designated responsible persons (outlined above) must ensure that the item of equipment is removed from use and either repaired, disposed of or replaced. In accordance with the Health & Safety at Work Act 1974, all volunteers are expected to immediately report any defect of electrical equipment or damaged plugs, cables, sockets to the Music or Technical Director (whoever is available). No volunteer may bring electrical appliances of any description to LHMTTC workshops, without prior permission of the Musical Director or Technical Director. Volunteers must not under any circumstances carry out repairs of any kind to LHMTTC equipment.

2.3 Fire Precautions and/or Emergency Evacuation Procedures

All Volunteers during the course of their induction will be made aware of the following:

- Evacuation procedures and the assembly point
- Alarm system
- Location of emergency exits
- Location and type of extinguishers available

- Fire doors
- Obstruction of exits
- The 'Fire Awareness In The Workplace' interactive DVD **must be completed**, and a copy of the Certificate of Achievement kept in the volunteer's file
Regular fire alarm tests and fire drills are carried out. Please see appendix C for Fire Procedure.

2.4 Welfare

LHMTC are committed to protecting the welfare of all.

Smoking

In accordance with "the Smoke Free (premises and enforcement) regulations 2006 **the LHMTC office is a strictly No Smoking area.** However, volunteers are permitted to smoke outside, ensuring cigarettes are fully extinguished before appropriate disposal. These restrictions apply to any visitor or customer to the office. In addition to this the new law requires vehicles to be smoke free if they are used to:

- Transport members of the public
- In the course of paid or voluntary work by more than one person - regardless of whether they are in the vehicle at the same time
- Vehicles that are used primarily for private purposes will not be required to be smoke-free except for in the transportation of other individuals

Failure to adhere to this policy could result in disciplinary action and a fine of up to £200 for smoking in a smoke free place.

Alcohol and Drugs

LHMTC has a general duty to ensure the health, safety and welfare of their volunteers and that they are not exposed to hazards and risks that could arise from volunteers being impaired by alcohol and/or drugs.

The use of alcohol and/or drugs becomes a health and safety issue if a person's ability to exercise judgment, co-ordination, motor control, concentration and alertness is affected at the workplace, leading to an increased risk of injury or illness.

Volunteers must take reasonable care of their own health and safety and not endanger the health and safety of others at the workplace.

The consumption of alcohol and use of illegal drugs while at work is therefore unacceptable, except in relation to any authorised and responsible use of alcohol at workplace social functions.

Fitness for work

LHMTC requires all its volunteers to present themselves for work in complete control of all their faculties i.e. sober and with faculties unimpaired by alcohol or any other drugs of a non-medicinal nature and to maintain that state until the completion of the time for attendance under the contract.

Notification of prescriptions/drug treatment:

Volunteers who are required to take medicinal drugs, i.e. insulin, for an on-going or intermittent complaint (which may significantly affect their work) should advise the

Artistic Director of this fact. This information will be kept confidential and only used to advise in a medical emergency.

Unfit for work state

In the event that a volunteer presents themselves for duty in a state where their Artistic Director believes them to be under the influence of alcohol and/or drugs and not able to carry out their duties in a proper, fit and safe way, they will not be allowed to commence their duties but will be suspended and not allowed to return until such time as they are in full control of their faculties. In addition, such an occurrence will be a matter for consideration under the organisations' disciplinary procedure.

Dependency affecting work:

Where a person's role is suffering and dependency is suspected, it will be recommended that the volunteer take advantage of counselling services. In the event that the volunteer needs to be absent for a period of treatment, leave of sickness absence will normally be granted to cover this.

If dependency is denied and work deterioration continues, then the issue will be dealt with through the normal disciplinary procedures. If it is found that dependency is confirmed it may become a point of gross misconduct.

The Artistic Director and/or other Directors will be expected to be watchful for signs of problems that could be caused by alcohol/drug dependency and to be pro-active in the solutions by discussing the issue confidentially and suggesting that the volunteer should seek counselling and treatment where appropriate.

Stress

LHMTC recognises that workplace stress is a health and safety issue and acknowledge the importance of identifying and reducing workplace stressors. The Health & Safety Executive define stress as 'the adverse reaction people have to excessive pressure or other types of demand placed on them'.

The Artistic Director is responsible for the following:-

- Conduct and implement recommendations of risk assessments within their jurisdiction
- Ensure good communication between management and volunteers, particularly where there are organisational and procedural changes
- Ensure volunteers are fully trained to discharge their duties
- Ensure volunteers are provided with meaningful development opportunities
- Monitor workloads to ensure that volunteers are not overloaded
- Monitor time to ensure that volunteers are not overworking
- Be vigilant and offer additional support to volunteers who experience stress outside of work e.g. bereavement or separation

Volunteers are responsible for the following:-

- Raise issues of concern with the Artistic Director
- Accept opportunities for counselling when recommended

Violence/Harassment and Bullying

LHMTC has a strict no tolerance policy relating to violence, harassment or bullying within the workplace. Any volunteer that is subjected to any of these must report it to Artistic Director immediately. This will then be recorded and investigated and dealt with in accordance with LHMTC policy.

First Aid

The definition of 'First-Aid' is the treatment given to preserve life or minimise the consequences of any accident, pending the arrival of, or transport to, medical help. The LHMTC will have at least one accredited first-aid person. The named person(s) will receive accredited training and refresher courses as required to maintain their accredited status. The accredited person will regularly check the provision of the first-aid box and compliance with all statutory regulations concerning the contents, suitability and amount for the office. Each volunteer must notify the accredited person if they use anything from the first aid box so arrangements can be made to replenish it.

The accredited person will ensure the replenishment as necessary following the use of first-aid equipment. All volunteers will be told that under no circumstances must they provide medication such as pain relief (aspirin, paracetamol) for colleagues and/or the public.

2.5 Risk/Hazard Assessment

A hazard is anything with the potential to cause harm. A risk is the likelihood that a hazard will cause harm. Risk assessments will be undertaken by all staff as and when a risk is identified and it must be documented. The findings of the risk assessments will be reported to the Artistic Director. Action required to remove/control risks will be approved by the Artistic Director. The Artistic Director will be responsible for ensuring the action required is implemented and documented. The Artistic Director will check that the implemented actions have removed/reduced the risks. Assessments will be reviewed every year or when the work activity changes, whichever is soonest. **(See the section on 'Risk Assessments')**

2.7 Manual Handling

Manual Handling Risks will be part of the organisations Risk Assessment Process, consideration will be given at all times to prevention of injury by avoiding the need for lifting/handling of heavy items at all times. Volunteers will not be required to move heavy/awkward items. Manual handling training relevant to the work situation will be given to all volunteers to prevent injury. The 'Manual Handling Training' interactive DVD **must be completed**, and the Certificate of Achievement kept in the volunteer file.

2.8 Hazardous Substances

In accordance with the COSHH (Control of Substances Hazardous to Health) regulations, risk assessments will be carried out on all substances and documented. Cleaning materials must be stored appropriately. Volunteers will be responsible for acquainting themselves with manufacturers' recommendations concerning remedial action in the case of accidents/spillage of such substances. LHMTC will provide protective equipment where necessary.

2.9 Use of Mobile Phones whilst Driving (Where Applicable)

Operation of a mobile phone whilst driving reduces concentration and increases the risk of an accident. It is also a criminal offence. LHMTTC does not support or condone any volunteer using a hand-held mobile phone which may cause distraction whilst driving if it is part of your role. This rule applies whether this is to make or receive telephone calls, send or read text or image/picture messages, or to access the Internet or e-mail.

If you do wish to use an electronic device when driving, you must stop the car and completely turn off the car's engine before using it.

A person is regarded as 'driving' for the purposes of the law if the engine is running, even if their vehicle is stationary. This means you must not use a hand-held phone at traffic lights, during traffic jams or at other times when the engine is still running.

Volunteers will be expected to use hands-free equipment in a legal manner and are solely liable. LHMTTC bears no responsibility for any incidents which occur while using hands-free equipment.

3.0 Procedures during Main Productions at a Professional Venue

- a) Following an initial email or written memo, all cast members will arrive at the stage door in the proper LHMTTC pre-show uniform (Black LHMTTC t-shirt, Black trousers, Black Shoes) at the designated time. Weather conditions dictate the use of any additional external outer clothing or protection at the discretion of the Parent, Carer, Support worker, or (in the case of over 18s) the individual.
- b) Once members are signed in via the attendance register, they will then be shown by their designated Chaperone to their dressing room(s). Members, with the help of the Chaperones, are expected to keep the dressing rooms tidy.
- c) Without exception, no member is allowed to wander about on their own, or in groups within the venue, unless they are being escorted to and from the dressing rooms, green room or to the stage.
- d) Members are asked not to bring any items with them which may be lost (eg: Mobile phone, iPad, jewellery and suchlike)
- e) All mobile phones are to be handed into the designated appropriate adult on arrival, who controls the register and they will be secured in a locked cabinet for the duration of the day's events and handed back when they leave the venue at the designated time.
- f) Activities in the dressing room are left to the control of the Chaperone(s) looking after their welfare and suggestions for suitable activities are discussed at a production meeting prior to the event taking place.
- g) In the case of the initial 'get in' day, prior to the dress rehearsal, all cast will be asked to sit in the auditorium for an initial safety talk by the LHMTTC Artistic Director and the Technical Crew of the venue (usually the Stage Manager). They will then be directed to their dressing rooms.
- h) When members are needed for their part in the show, they will first be called via the comms system and then taken down to the green room in an orderly fashion by their designated chaperone(s) and must wait until they are called on to the stage. Once they have finished their time on stage, they will then be directed back to their dressing room again in an orderly manner, making sure to be quiet at all times, especially if the show is still running. Venue technicians will make

sure that any hazards are removed, so the possibility for accidents to occur will be minimal (please refer to the relevant Risk Assessment developed for the event in question)

- i) Members who will be wearing microphones, or any other piece of technical apparatus, will be fully briefed at the Technical Rehearsal as to the care and placement of the equipment, so as to minimize any risk.
- j) At the end of the show, members will be directed back to their changing rooms, to collect their belongings and will be escorted to the green room to wait for their transport.
- k) Chaperones and Volunteers will as a matter of course, assist with the 'get out' – removal of costumes, tidying of dressing rooms, removal of set, cloths, props and assist the technical staff in making the venue clean and tidy. This will facilitate and maintain good relationships with the venue for all future performances.

3.1 Potential issues of conflict/disagreement between cast members and volunteers/directors during the course of a main show

- a) Organising and putting on performances at main venues is a stressful experience, which can be made more uncomfortable if there exists the potential for a conflict between cast members, or volunteers, or the directors, or the technical crew. Should such a situation arise, then it needs to be dealt with quickly and effectively, so as to minimise the disruption to a show.
- b) Any issue that arises between members in a dressing room, should be the remit of the Chaperones, who will endeavour to calm the situation before it gets out of hand. If the issue is between a member and a chaperone, then likewise, it is in the domain of the chaperone to calm the situation.
- c) If the chaperone is unable to diffuse the situation, then he/she must bring the issue to the Head Chaperone who will then deal with the situation accordingly, taking statements from the parties involved and seeking a solution.
- d) If the Head Chaperone is unavailable, then he/she will need to seek the assistance of the Artistic Director, who will follow the same guidelines as if it were the Head Chaperone and report back to the Head Chaperone at the earliest opportunity.
- e) If a member chooses to absent themselves from the dressing room due to a personal issue they may have with someone, or due to external factors, then the Chaperone responsible for that individual, together with the Head Chaperone must seek out the individual concerned and ensure that Duty of Care is adhered to. The parents/carers must be informed to come and collect their child/person under their care and take them away. (Section 3.0g – during the safety talk, it is explained to all cast members clearly, that they will not be allowed to leave the building due to insurance liabilities and all Chaperones and Volunteers must be vigilant at all times)
- f) If there is an issue between volunteers and/or directors, then please refer to the Comments and Complaints Policy within this documentation.

3.2 Procedures during Outside events

- a) The procedures for Outside events run on similar lines to that of main events in professional venues, because from time to time, outside events will take place inside other venues and will not just be purely 'open air' events.

- b) Common-sense and discretion, duty of care and suchlike are still strictly adhered to, without question – see sections 3.0, 3.1.



Comments and Complaints Policy

Lavender Hill Mob Theatre Company welcomes views in the running of the organisation. It is in LHMTCs best interests to work in partnership with parents/guardians/carers (families) and to give careful attention and a prompt and courteous response to any suggestions comments or complaints, thereby ensuring the continuation of an organisation that meets the needs of its membership.

It is important to note that comments can also be 'welcome comments' and good practice includes having a 'comments book/box' available for parents and families to share these, placed in full view of everyone. In the event of comments or complaints arising, it is vital to have written procedures, perhaps in the form of a flow chart and to disseminate these to both parents/families and volunteers. Adherence to confidentiality procedures is of the utmost importance.

Volunteer complaints must be dealt with through the Volunteer Grievance Policy.

Comments procedure

1. A comment can be made verbally and in the event of an unsatisfactory result the comment should be made in writing to the Chair of Trustees or to the nominated person.
2. The nominated person will make a note of these in the Comments Book, along with any action taken.
3. The complaints procedure should be availed of if a satisfactory response is not received within 14 days.

Complaints procedure

1. If you wish to make a complaint about a show, then you should contact the Artistic Director or nominated person. If the complaint refers to an individual of the organisation (regardless of age), then you should contact the Head Chaperone to discuss and, hopefully, resolve the matter.
2. Should you still feel that the matter is unresolved then the complaint must be put in writing to the Chair of Trustees or the nominated person.
3. A written acknowledgement of the complaint will be sent as soon as possible (within 14 working days)
4. If the complaint is related to the behaviour of a volunteer, then the volunteer will be informed by the Head Chaperone or Chair of Trustees, that a formal complaint has been made and be given the full details and the right to reply.
5. Parents/guardians/carers must be made aware that volunteers are informed of complaints made relating to their behaviour so that the procedure can be implemented.

6. If required, a request may be made in writing to the Chair of Trustees or the Board, to have the complaint heard by a wider group. This group could comprise an external mediator, or in the case of two members of the Board, plus an external Mediator.



Volunteer Grievance Policy

1. Purpose of the Procedure/Introduction

Lavender Hill Mob Theatre Company's aim is to ensure that volunteers with a grievance relating to their role can use a procedure which can help to resolve grievances as quickly and as fairly as possible.

2. Informal discussions

If a volunteer has a grievance about any aspect of their role, they should discuss it informally with either the Artistic Director. We hope that the majority of concerns will be resolved this way.

3. Stage 1: Statement of Grievance

If the volunteer feels that the matter has not been resolved through informal discussions, they should put their grievance in writing to the Artistic Director.

4. Stage 2: The Grievance Meeting

Within 7 working days the Artistic Director will respond, in writing, to the statement, inviting the volunteer to attend a meeting where the alleged grievance can be discussed. This meeting should be scheduled to take place as soon as possible and normally 5 working days' notice of this meeting will be provided to the volunteer and they will be informed of their right to be accompanied.

Volunteers must take all reasonable steps to attend the meeting, but if for any unforeseen reason the volunteer, can't attend, the meeting must be rearranged.

Should a volunteer's companion be unable to attend then the volunteer must make contact within 7 days of the date of the letter to arrange an alternative date that falls within 14 days of the original date provided. These time limits may be extended by mutual agreement.

After the meeting, the Artistic Director on hearing the grievance must write to the volunteer informing them of any decision or action and offering them the right of appeal. This letter should be sent within 7 working days of the grievance meeting and should include the details on how to appeal.

5. Step 3: Appeal

If the matter is not resolved to the volunteer's satisfaction, they must set out their grounds of appeal in writing within 7 working days of receipt of the decision letter.

Within 7 working days of receiving an appeal letter, the volunteer should receive a written invitation to attend an appeal meeting. The appeal meeting should be taken by the Chair of the Board of Trustees.

After the appeal meeting with the Chair of Trustees, they must inform the volunteer in writing of their decision within 7 working days of the meeting. Their decision is final.



Office Standards

Statement of Intent

LHMTC Head Office Volunteers should present themselves at all times in a professional manner, whether in person, in writing, or on the telephone. The following procedures are not expected to be all encompassing and staff should use common courtesy in all instances when dealing with others.

1. Telephone Answering

When the telephone is answered it should be with: "Good morning/afternoon (whichever is appropriate), Lavender Hill Mob Theatre Company"

If the person requested is not in the office or busy, an alternative should be suggested: "I'm afraid is unavailable/out of the office, may I take a message or get someone else to help you?"

If you are taking a message, write the date and time of the call along with the person's telephone number and place on the appropriate person's desk immediately. Recording this information and sending it via email is also acceptable.

If you need to put someone on hold while you do any research, or because someone is finishing another call, then periodically go back to the caller and apologise for the delay, ask them if they want to continue holding.

Overflow incoming telephone calls that cannot be picked up by the receptionist will result in an overhead ring. It is the responsibility of **all** staff to pick up an overhead ring.

2. Visitors

Always greet visitors with a smile when they come through the door and say: "May I help you?"

If they have an appointment, let the person know they are here either in person or by telephone where appropriate and if they cannot be seen immediately, ask to take a seat. Ask them if they would like a drink and if so get it for them.

If they have come in without an appointment, call the person on the telephone and let them know they are here. Only send them to another office if the staff member is ready and able to receive them. If they are busy, tell the visitor the staff member is unavailable and ask if they wish to make an appointment. Do not let people through the back door or allow them to wander around the office unattended.

3. Dress Code

We do not have a formal dress code however attire should convey a professional image to our customers which takes into consideration the sensitivities of a diverse culture. A minimum of a 'smart casual' style of dress should be adopted which would exclude the

wearing of denim. All attire should be clean and neat. If LHMTTC Blacks are available to the volunteer, then this is the preferred dress code for the LHMTTC Office.

4. Clear Desk

To convey a professional image it is requested that all staff keep their desks as clear as possible. As a matter of organisational security and Data Protection, care should be taken to ensure confidential material is not left out where it could be viewed by others.

5. Courtesy to Others

Volunteers are requested to be courteous to others in the office by not carrying on loud conversations. Loud voices mean that telephone conversations are hard to hear and could mean that callers overhear information they are not meant to. Loud conversations also make it difficult for others to concentrate on tasks.

6. Cleanliness of the Kitchen Area

Each person is responsible for ensuring the area is maintained in a clean and tidy manner. Volunteers are responsible for cleaning their own crockery and cutlery and also that of any visitors immediately upon departure. Items should not be left in the sink at the end of the working day. Spills should be cleaned up and food leftovers thrown away immediately. Food with strong odours should be placed in a plastic bag before being placed in the bin.



Recruitment of Ex-Offenders Policy

Policy Statement

The LHMTC is dedicated to promoting equality, fairness, respect, encouragement and commitment. We aim to create a working environment where diversity is recognised, valued and celebrated and we encourage applications for voluntary work from all sections of the community.

The LHMTC's top priority is to safeguard the children and vulnerable adults whom we serve. So where we judge that an individual's criminal background could pose an unacceptable risk to vulnerable individuals or groups, we will not make an offer of voluntary work.

General Principles

- The LHMTC expects the highest standards of integrity and honesty from its volunteer workers once appointed. All appointed volunteers are expected to carry out their role with a dedication and commitment to the LHMTC and its core values of: respect, encouragement, commitment, integrity, honesty, objectivity and impartiality.
- In return, the LHMTC aims:
 - to take on volunteers that reflects the diversity of society as a whole,
 - to treat all our volunteers and contacts with dignity and respect;
 - to develop all our volunteers to realise their full potential;
 - to ensure that we have no bias or stereotyping in our recruitment or selection processes, and that, once appointed, individuals are fairly treated throughout their careers;
 - to take all other positive action to secure equality of opportunity.
- Within this framework, the LHMTC is committed to offering fair opportunities for ex-offenders to gain employment. We recognise that employment is a key factor in helping them to avoid re-offending, and in reducing their social exclusion. In the interests of our activities, we are also keen to ensure that we do not rule out any

individuals or groups who have valuable skills and experience to offer.

- Ex-Offenders may apply for volunteer work with us and will not normally be a disadvantage because of previous spent convictions. These need only be declared in the case of posts which, by their nature, require a DBS check or security clearance. Unspent convictions must be declared by all applicants and their relevance will be assessed on an individual basis. For further details see 'Managing the Policy' below.

Managing the Policy: How criminal records will be assessed

- Information about convictions or cautions provided as part of the volunteer recruitment process will be treated in confidence. Our assessment of this information will be objective and we will focus first on a person's abilities, skills and experience. A criminal record will not necessarily prevent an individual being taken on as a volunteer, but it may do so if we consider that the nature of the conviction might compromise the LHMTC. In some cases the LHMTC may be able to take on an individual but bar him or her from certain posts.
- The LHMTC will ensure that all those who are involved in the security vetting process have been suitably trained to identify and assess the relevance and circumstances of offences. Each case will be considered individually on its merits, and in reaching a decision about the relevance of an individual's criminal record we will consider issues such as:
 - the nature of the position
 - the nature, circumstances, seriousness and background of the offence(s)
 - the length of time since the offence was committed
 - whether or not the conviction is 'spent'. (Applicants for posts that require DBS checks or security clearance must declare all convictions as part of those processes)

All applicants will be informed of the result of their applications. Ex-Offenders will be informed if their applications have been unsuccessful because of their criminal background.

Recruitment Process and Criminal Record Checks: The respective roles of the LHMTC and the applicant

- The LHMTC's recruitment process and materials will be open and clear and in return we expect applicants to be honest and open with us throughout the process.
- All applicants are obliged to declare any unspent criminal convictions when applying for a position within the LHMTC, and to consent to additional pre-employment checks of identity, nationality and employment history.
- The LHMTC is required to be particularly careful when recruiting volunteers who may be working with vulnerable groups and we will thoroughly check the conviction status

of those working closely with children under the age of 18, drug users, vulnerable adults, or the elderly. Because of this, some posts will require additional background checks through the Criminal Records Bureau or other appropriate agencies (even when filled by internal applicants) and spent offences will be considered as part of this process. The vacancy notice or advertisement (where applicable) will clearly state the need for additional checks where appropriate.

- As an added safety measure above and beyond the current legislation LHMTTC will not accept volunteers who, subject to the information being disclosed at first contact and also via the DBS check, have past criminal convictions for ABH, GBH, or any other physical act of malice towards another individual.
- **Applicants should be aware that if at any stage they fail to reveal information that is directly relevant to the position sought, this could lead to withdrawal of an offer of volunteer work or termination of a contract where engagement through a third party, has already started. Throughout their period with the LHMTTC, volunteers are required to notify the LHMTTC immediately of any police cautions or convictions received. Failure to do this (depending on the circumstances of the individual case) may lead to dismissal.**



Sickness

Statement of Intent

Our policy is to provide support to volunteers through periods of sickness (where appropriate and applicable) and to ensure that those who have been sick are given any help needed to return.

It is important that sickness absence is not abused, as Lavender Hill Mob Theatre Company (LHMTC) does not have the resources to sustain high levels of absences without affecting the services we can provide.

Notification of Absence

Due to LHMTC being a voluntary organisation, notification of absence is optional, however it is considered only right, proper and considerate that if volunteers are going to be absent prior to a workshop, notification of this to the Artistic Director, would be preferred.

Frequent Sickness Absences

If the frequency or pattern of absence causes concern, the Artistic Director should discuss the matter informally with the member of volunteers. They should seek the member of volunteers view of their own health and try to discover if there are any underlying related causes.

An informal conversation between the volunteer concerned and the Artistic Director will be sought to see if anything can be done to help and also to explain the problems caused by frequent sickness absences if necessary. They should also afford the member of volunteers the opportunity to discuss any specific illness or problems with a Trustee or Officer of their own gender should they wish.



Training & Development Policy

Purpose of training

Training, considered to be of benefit to volunteer and the organisation will be identified through regular appraisal.

Statement of Intent

LHMTC believes that a volunteer's development and training should be an integral part of the Organisation's strategic planning so that volunteers can perform their individual roles effectively and, in doing so, ensure that the Organisation achieves its objectives.

The central aim is therefore to provide an environment where continuous development can take place and where volunteers are supported and enabled to meet the changing demands and priorities of LHMTC and service users.

To achieve this aim, training and development needs will be regularly reviewed and volunteers will be encouraged to play an active part in identifying their own training needs, selecting appropriate training methods and in assessing the outcomes and effectiveness of their training.

Options for training and development may include:

- In-house training/training from others in the organisation
- internal workshops/training for groups or teams
- self-paced training/open learning books, videos, DVDs
- external courses/run by LHMTC or other providers
- nationally accredited courses
- secondments and placements/visits to other organisations
- study tours/especially partnership with other lead organisations
- mentoring

1. Training and development process

○ **Induction**

An induction programme helps new volunteer to familiarise themselves with the Organisation, get to know others and to become at ease in a new work environment.

All new volunteers will be required to take part in an induction programme including an introduction to LHMTC volunteering, our mission, goals and targets, equal opportunities policy, working practices and procedures. The completion of the LHMTC induction record must be made within one month of a new volunteer starting employment.

After their initial induction, volunteers will receive additional ongoing coaching in the organisation of LHMTTC, funding structures and key planning and development issues, to ensure that they are able to effectively represent the organisation to outside agencies.

If appropriate, an induction and training process will be identified and implemented for LHMTTC volunteers by the Artistic Director.

Coaching in immediate work processes and tasks and inducting new volunteer into the organisation will be the responsibility of the Artistic Director.

Induction training for new Trustee members will be the responsibility of the LHMTTC Chair of Trustees and include an introduction to LHMTTC, its mission, goals and targets, organisation structure, finances, funding, LHMTTC Equal Opportunities Policy and the roles and responsibilities of volunteers and Trustee members.

LHMTTC believes that identifying and assessing training needs should be an ongoing process for all volunteers and Board members.

Individual volunteer training needs will be identified with the Artistic Director during regular supervision sessions and the yearly appraisal process. Collective training needs may be identified within the team and discussed with the Artistic Director, who has the lead responsibility for the development of volunteers, for assessing their training and development needs and identifying suitable training methods.

The LHMTTC Chair of Trustees will ensure that the training needs of the board are reviewed annually.

If appropriate, training needs of volunteers will be identified by the appropriate Line Manager.

2. Recording, monitoring and evaluation

Details of each training activity will be recorded on a form (Appendix B) that will include: a description of the training; agreed objectives; method of training; resources needed; evaluation of outcomes. The Artistic Director will be responsible for ensuring that the training is monitored and that the outcomes and effectiveness of the training are fully discussed and recorded.

The form will be kept by the member of volunteer to provide a clear record of training for annual review and evaluation.

Where appropriate, training forms will be also be used for recording training activities of board members and volunteers.

3. Training review and reports

The Artistic Director will provide feedback on volunteer training and development activities in team reports to the Trustees.

The Chair of Trustees will have responsibility for analysing the effectiveness of LHMTTC volunteer development programmes, and on an annual basis present a full written report to the Trustees.

4. Annual training plan

An annual training plan will include areas of training, development and training needs identified by individuals.

Time off for training, reimbursement of travel costs and payment of fees will be at the discretion of the Chair of Trustees. .

The programme may be amended or added to during the year, to take account of new priorities, or in response to newly identified training needs.

5. Training requests

All training requests will be considered sympathetically. However, the availability of training resources will depend on factors such as budgetary constraints, work commitments and training priorities necessary to fulfil the organisation's objectives. In practice, there may be occasions when a training request is postponed or refused due to other priorities.

A further budgetary consideration will be the extent to which skills acquired through training can be applied within the organisation, within a reasonable time period.

Volunteer members may be interested in obtaining accreditation or a nationally recognised qualification. LHMTTC will be sympathetic to requests of this sort, where the training has a demonstrable relevance to LHMTTC objectives, and in co-operation with the volunteer member will seek to provide appropriate support and assistance.

Once it has been agreed that an individual volunteer member may participate in the desired training it will be compulsory to complete and have approved a **Training Request Form**. This will be used as a basis of discussion with your Line Manager and must be approved before applying for training. The **Training Request Form** can be found under **Training and Development Policy Appendix A**.

6. Reimbursement of training cost.

LHMTTC, through Trustees, reserves the right to seek reimbursement of costs from the volunteer.

The organisation may require reimbursement of the cost for a course where the provider insists upon it.



Volunteering Policy

Statement of Intent

Lavender Hill Mob Theatre Company (LHMTC) wish to provide the opportunity for volunteers to participate in various roles within the organisation (see Equal Opportunities Policy) and LHMTC recognises the benefit this can offer to volunteers, the organisation and the community as a whole.

Policy

Volunteers come from all walks of life. The LHMTC continues to have numerous enquiries concerning opportunities for volunteering roles, mostly from social media and emails. LHMTC Administration will consider all enquiries for volunteering (as stated on its website www.lhmtc.co.uk) and will respond with a covering letter/email thanking the person(s) for their enquiry and suggest that in order to better understand the LHMTC's working practises, individuals may wish to come along to a workshop to get an overview of the type of organisation LHMTC is.

It is up to the individual(s) concerned whether they wish to pursue this line of introduction.

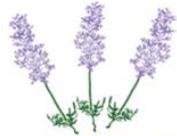
Existing LHMTC volunteers should be mindful of the following and should not involve themselves in any volunteering activity:

- which could be perceived as a potential paid for service provided by LHMTC.
- which should be carried out by an employee within that organisation or
- that conflicts with the LHMTC Equal Opportunities and Equality and Diversity policies.

Volunteers should also be mindful when representing LHMTC at outside events. While they are doing so, they should not promote, or attempt to promote another organisation's activities, as this could be seen as a conflict of interest, or loyalty. Conflict of interests or loyalty at an event may have an impact on the operations of the LHMTC if an official body is present at outside events; they may request a meeting where LHMTC procedures would be under scrutiny.

Where there is any doubt it should be referred to the Chair of Trustees.

Should an individual wish to pursue being a volunteer for LHMTC, then a formal induction procedure (including an interview and character assessment) will be implemented.



LAVENDER
HILL MOB
Theatre Company

ETHOS

RESPECT

Remember everyone has the right to say and believe what they want without fear, so long as they don't hurt anyone.

Earn the right to say I am a nice person.

Stay true to yourself and remember ☺ 'smile' - it can make the darkest situation brighter.

Put yourself in the other person's shoes and ask yourself, 'would I like this'?

Education is the best gift anyone can give you, so listen to what people have to say and enjoy being a wiser person.

Consider - think what your life would be like if you didn't have all the advantages. Don't think of all the things that you can't do but those you can.

Treat everyone as you would like them to treat you.

ENCOURAGEMENT

Everyone has a gift.

Nobody is perfect.

Calling for help is not a sign of weakness.

Open your mind, then you will see.

Upwards and onwards.

Reap what you sow.

Achievement means work.

Getting even never achieves anything.

Envoy eats at the soul.

Money can't buy happiness.

Exchange is no robbery.

Neglect always causes pain.

Talking isn't the same as doing – but it's a start.

COMMITMENT

Can I help you – means 'I care'.

Obvious is not always clear.

Meeting half ways is always a good start.

Meaning what you say helps everyone.

Inclusion is more productive than exclusion.

Time is something of your own making.

Making is better than destroying.

Encouragement achieves more.

Noticing the small things people do makes them bigger.

Take time to show you care. It pays dividends.



COMPANY NOT HAVING A SHARE CAPITAL **ARTICLES OF ASSOCIATION FOR A CHARITABLE COMPANY**

1. **The company's name is** 'Lavender Hill Mob Theatre Company' (and in this document it is called the 'charity').

Interpretation

2. In the articles:

'address' means a postal address or, for the purposes of electronic communication, a fax number, an e-mail or postal address or a telephone number for receiving text messages in each case registered with the charity;

'the articles' means the charity's articles of association;

'the charity' means the company intended to be regulated by the articles;

'clear days' in relation to the period of a notice means a period excluding:

- the day when the notice is given or deemed to be given; and the day for which it is given or on which it is to take effect;

'the Commission' means the Charity Commission for England and Wales;

'Companies Acts' means the Companies Acts (as defined in section 2 of The Companies Act 2006) insofar as they apply to the charity;

'the directors' means the directors of the charity. The directors are charity trustees as defined by section 177 of the Charities Act 2011;

'document' includes, unless otherwise specified, any document sent or supplied in electronic form;

'electronic form' has the meaning given in section 1168 of the Companies Act 2006;

'the memorandum' means the charity's memorandum of association;

'officers' includes the directors and the secretary (if any);

'the seal' means the common seal of the charity if it has one;

'secretary' means any person appointed to perform the duties of the secretary of the charity;

'the United Kingdom' means Great Britain and Northern Ireland; and words importing one gender shall include all genders, and the singular includes the plural and vice versa.

Unless the context otherwise requires words or expressions contained in the articles have the same meaning as in the Companies Acts but excluding any statutory modification not in force when this constitution becomes binding on the charity.

Apart from the exception mentioned in the previous paragraph a reference to an Act of Parliament includes any statutory modification or re-enactment of it for the time being in force.

Liability of members

3. The liability of the members is limited to a sum not exceeding £10, being the amount that each member undertakes to contribute to the assets of the charity in the event of its being wound up while he, she or it is a member or within one year after he, she or it ceases to be a member, for:

- (1) payment of the charity's debts and liabilities incurred before he, she or it ceases to be a member;
- (2) payment of the costs, charges and expenses of winding up; and
- (3) adjustment of the rights of the contributories among themselves.

Objects

4. The charity's objects ('Objects') are specifically restricted to the following:

To promote, maintain, improve and advance the education of the general public in the county of Norfolk in the arts generally and more particularly by way of example only and not limitation the arts of theatre, dance, music, drama, singing, poetry and design and provide facilities for education, recreation and other leisure-time occupations in the interests of social welfare with the object of improving the conditions of life for the public at large, including the provision of workshops and public performances

Powers

5. The charity has power to do anything which is calculated to further its Object(s) or is conducive or incidental to doing so. In particular, the charity has power:

- (1) to raise funds. In doing so, the charity must not undertake any taxable permanent trading activity and must comply with any relevant statutory regulations;
- (2) to buy, take on lease or in exchange, hire or otherwise acquire any property and to maintain and equip it for use;
- (3) to sell, lease or otherwise dispose of all or any part of the property belonging to the charity. In exercising this power, the charity must comply as appropriate with sections 117 and 122 of the Charities Act 2011.
- (4) to borrow money and to charge the whole or any part of the property belonging to the charity as security for repayment of the money borrowed or as security for a grant or the discharge of an obligation. The charity must comply as appropriate with sections 124 - 126 of the Charities Act 2011 if it wishes to mortgage land;
- (5) to co-operate with other charities, voluntary bodies and statutory authorities and to exchange information and advice with them;
- (6) to establish or support any charitable trusts, associations or institutions formed for any of the charitable purposes included in the Objects;
- (7) to acquire, merge with or to enter into any partnership or joint venture arrangement with any other charity;

- (8) to set aside income as a reserve against future expenditure but only in accordance with a written policy about reserves;
- (9) to employ and remunerate such staff as are necessary for carrying out the work of the charity. The charity may employ or remunerate a director only to the extent it is permitted to do so by article 7 and provided it complies with the conditions in that article;
- (10) to:
 - (a) deposit or invest funds;
 - (b) employ a professional fund-manager; and
 - (c) arrange for the investments or other property of the charity to be held in the name of a nominee; in the same manner and subject to the same conditions as the trustees of a trust are permitted to do by the Trustee Act 2000;
- (11) to provide indemnity insurance for the directors in accordance with, and subject to the conditions in, section 189 of the Charities Act 2011;
- (12) to pay out of the funds of the charity the costs of forming and registering the charity both as a company and as a charity.

Application of income and property

6. (1) The income and property of the charity shall be applied solely towards the promotion of the Objects.
- (2) (a) A director is entitled to be reimbursed from the property of the charity or may pay out of such property reasonable expenses properly incurred by him or her when acting on behalf of the charity.
- (b) A director may benefit from trustee indemnity insurance cover purchased at the charity's expense in accordance with, and subject to the conditions in, section 189 of the Charities Act 2011.
- (c) A director may receive an indemnity from the charity in the circumstances specified in article 57.
- (d) A director may not receive any other benefit or payment unless it is authorised by article 7.
- (3) Subject to article 7, none of the income or property of the charity may be paid or transferred directly or indirectly by way of dividend bonus or otherwise by way of profit to any member of the charity. This does not prevent a member who is not also a director receiving:
- (a) a benefit from the charity in the capacity of a beneficiary of the charity;
 - (b) reasonable and proper remuneration for any goods or services supplied to the charity.

Benefits and payments to charity directors and connected persons

7. (1) General provisions

No director or connected person may:

- (a) buy any goods or services from the charity on terms preferential to those applicable to members of the public;
- (b) sell goods, services, or any interest in land to the charity;
- (c) be employed by, or receive any remuneration from, the charity;

(d) receive any other financial benefit from the charity; unless the payment is permitted by sub-clause (2) of this article, or authorised by the court or the Charity Commission. In this article a 'financial benefit' means a benefit, direct or indirect, which is either money or has a monetary value.

○ **Scope and powers permitting directors' or connected persons' benefits**

- (2) (a) A director or connected person may receive a benefit from the charity in the capacity of a beneficiary of the charity provided that a majority of the directors do not benefit in this way.
- (b) A director or connected person may enter into a contract for the supply of services, or of goods that are supplied in connection with the provision of services, to the charity where that is permitted in accordance with, and subject to the conditions in, sections 185 and 186 of the Charities Act 2011.
- (c) Subject to sub-clause (3) of this article a director or connected person may provide the charity with goods that are not supplied in connection with services provided to the charity by the director or connected person.
- (d) A director or connected person may receive interest on money lent to the charity at a reasonable and proper rate which must be not more than the Bank of England bank rate (also known as the base rate).
- (e) A director or connected person may receive rent for premises let by the director or connected person to the charity. The amount of the rent and the other terms of the lease must be reasonable and proper. The director concerned must withdraw from any meeting at which such a proposal or the rent or other terms of the lease are under discussion.
- (f) A director or connected person may take part in the normal trading and fundraising activities of the charity on the same terms as members of the public.

○ **Payment for supply of goods only – controls**

- (3) The charity and its directors may only rely upon the authority provided by sub-clause (2)c of this article if each of the following conditions is satisfied:
- (a) The amount or maximum amount of the payment for the goods is set out in an agreement in writing between the charity or its directors (as the case may be) and the director or connected person supplying the goods ('the supplier') under which the supplier is to supply the goods in question to or on behalf of the charity.
- (b) The amount or maximum amount of the payment for the goods does not exceed what is reasonable in the circumstances for the supply of the goods in question.
- (c) The other directors are satisfied that it is in the best interests of the charity to contract with the supplier rather than with someone who is not a director or connected person. In reaching that decision the directors must balance the advantage of contracting with a director or connected person against the disadvantages of doing so.
- (d) The supplier is absent from the part of any meeting at which there is discussion of the proposal to enter into a contract or arrangement with him or her or it with regard to the supply of goods to the charity.
- (e) The supplier does not vote on any such matter and is not to be counted when calculating whether a quorum of directors is present at the meeting.
- (f) The reason for their decision is recorded by the directors in the minute book.

(g) A majority of the directors then in office are not in receipt of remuneration or payments authorised by article 7.

(4) In sub-clauses (2) and (3) of this article:

(a) 'charity' includes any company in which the charity:

(i) holds more than 50% of the shares; or

(ii) controls more than 50% of the voting rights attached to the shares; or

(iii) has the right to appoint one or more directors to the board of the company.

(b) 'connected person' includes any person within the definition in article 61 'Interpretation'.

Declaration of directors' interests

8. A director must declare the nature and extent of any interest, direct or indirect, which he or she has in a proposed transaction or arrangement with the charity or in any transaction or arrangement entered into by the charity which has not previously been declared. A director must absent himself or herself from any discussions of the charity directors in which it is possible that a conflict will arise between his or her duty to act solely in the interests of the charity and any personal interest (including but not limited to any personal financial interest).

Conflicts of interests and conflicts of loyalties

9. (1) If a conflict of interests arises for a director because of a duty of loyalty owed to another organisation or person and the conflict is not authorised by virtue of any other provision in the articles, the unconflicted directors may authorise such a conflict of interests where the following conditions apply:

(a) the conflicted director is absent from the part of the meeting at which there is discussion of any arrangement or transaction affecting that other organisation or person;

(b) the conflicted director does not vote on any such matter and is not to be counted when considering whether a quorum of directors is present at the meeting; and

(c) the unconflicted directors consider it is in the interests of the charity to authorise the conflict of interests in the circumstances applying.

(2) In this article a conflict of interests arising because of a duty of loyalty owed to another organisation or person only refers to such a conflict which does not involve a direct or indirect benefit of any nature to a director or to a connected person.

Members

10. (1) The subscribers to the memorandum are the first members of the charity.

(2) Membership is open to other individuals or organisations who:

(a) apply to the charity in the form required by the directors; and

(b) are approved by the directors.

- (3)(a) The directors may only refuse an application for membership if, acting reasonably and properly, they consider it to be in the best interests of the charity to refuse the application.
- (b) The directors must inform the applicant in writing of the reasons for the refusal within twenty-one days of the decision.
- (c) The directors must consider any written representations the applicant may make about the decision. The directors' decision following any written representations must be notified to the applicant in writing but shall be final.
- (4) Membership is not transferable.
- (5) The directors must keep a register of names and addresses of the members.

Classes of membership

- 11. (1) The directors may establish classes of membership with different rights and obligations and shall record the rights and obligations in the register of members.
- (2) The directors may not directly or indirectly alter the rights or obligations attached to a class of membership.
- (3) The rights attached to a class of membership may only be varied if:
 - (a) three-quarters of the members of that class consent in writing to the variation; or
 - (b) a special resolution is passed at a separate general meeting of the members of that class agreeing to the variation.
- (4) The provisions in the articles about general meetings shall apply to any meeting relating to the variation of the rights of any class of members.

Termination of membership

- 12. Membership is terminated if:
 - (1) the member dies or, if it is an organisation, ceases to exist;
 - (2) the member resigns by written notice to the charity unless, after the resignation, there would be less than two members;
 - (3) any sum due from the member to the charity is not paid in full within six months of it falling due;
 - (4) the member is removed from membership by a resolution of the directors that it is in the best interests of the charity that his or her or its membership is terminated. A resolution to remove a member from membership may only be passed if:
 - (a) the member has been given at least twenty-one days' notice in writing of the meeting of the directors at which the resolution will be proposed and the reasons why it is to be proposed;
 - (b) the member or, at the option of the member, the member's representative (who need not be a member of the charity) has been allowed to make representations to the meeting.

General meetings

13. (1) The charity must hold its first annual general meeting within eighteen months after the date of its incorporation. (2) An annual general meeting must be held in each subsequent year and not more than fifteen months may elapse between successive annual general meetings.

14. The directors may call a general meeting at any time.

Notice of general meetings

15. (1) The minimum periods of notice required to hold a general meeting of the charity are:
- (a) twenty-one clear days for an annual general meeting or a general meeting called for the passing of a special resolution;
 - (b) fourteen clear days for all other general meetings.
- (2) A general meeting may be called by shorter notice if it is so agreed by a majority in number of members having a right to attend and vote at the meeting, being a majority who together hold not less than 90 percent of the total voting rights.
- (3) The notice must specify the date time and place of the meeting and the general nature of the business to be transacted. If the meeting is to be an annual general meeting, the notice must say so. The notice must also contain a statement setting out the right of members to appoint a proxy under section 324 of the Companies Act 2006 and article 22.
- (4) The notice must be given to all the members and to the directors and auditors.
16. The proceedings at a meeting shall not be invalidated because a person who was entitled to receive notice of the meeting did not receive it because of an accidental omission by the charity.

Proceedings at general meetings

17. (1) No business shall be transacted at any general meeting unless a quorum is present.
- (2) A quorum is:
- (a) Five members present in person or by proxy and entitled to vote upon the business to be conducted at the meeting; or
 - (b) one tenth of the total membership at the time whichever is the greater.
- (3) The authorised representative of a member organisation shall be counted in the quorum.
18. (1) If:
- (a) a quorum is not present within half an hour from the time appointed for the meeting; or
 - (b) during a meeting a quorum ceases to be present; the meeting shall be adjourned to such time and place as the directors shall determine.
- (2) The directors must reconvene the meeting and must give at least seven clear days' notice of the reconvened meeting stating the date, time and place of the meeting.
- (3) If no quorum is present at the reconvened meeting within fifteen minutes of the time specified for the start of the meeting the members present in person or by proxy at that time shall constitute the quorum for that meeting.
19. (1) General meetings shall be chaired by the person who has been appointed to chair meetings of the directors.
- (2) If there is no such person or he or she is not present within fifteen minutes of the time appointed for the meeting a director nominated by the directors shall chair the meeting.
 - (3) If there is only one director present and willing to act, he or she shall chair the meeting.

(4) If no director is present and willing to chair the meeting within fifteen minutes after the time appointed for holding it, the members present in person or by proxy and entitled to vote must choose one of their number to chair the meeting.

20. (1) The members present in person or by proxy at a meeting may resolve by ordinary resolution that the meeting shall be adjourned.

(2) The person who is chairing the meeting must decide the date, time and place at which the meeting is to be reconvened unless those details are specified in the resolution.

(3) No business shall be conducted at a reconvened meeting unless it could properly have been conducted at the meeting had the adjournment not taken place.

(4) If a meeting is adjourned by a resolution of the members for more than seven days, at least seven clear days' notice shall be given of the reconvened meeting stating the date, time and place of the meeting.

21. (1) Any vote at a meeting shall be decided by a show of hands unless before, or on the declaration of the result of, the show of hands a poll is demanded:

(a) by the person chairing the meeting; or

(b) by at least two members present in person or by proxy and having the right to vote at the meeting; or

(c) by a member or members present in person or by proxy representing not less than one-tenth of the total voting rights of all the members having the right to vote at the meeting.

(2) (a) The declaration by the person who is chairing the meeting of the result of a vote shall be conclusive unless a poll is demanded.

(b) The result of the vote must be recorded in the minutes of the charity but the number or proportion of votes cast need not be recorded.

(3) (a) A demand for a poll may be withdrawn, before the poll is taken, but only with the consent of the person who is chairing the meeting.

(b) If the demand for a poll is withdrawn the demand shall not invalidate the result of a show of hands declared before the demand was made.

(4) (a) A poll must be taken as the person who is chairing the meeting directs, who may appoint scrutineers (who need not be members) and who may fix a time and place for declaring the results of the poll.

(b) The result of the poll shall be deemed to be the resolution of the meeting at which the poll is demanded.

(5) (a) A poll demanded on the election of a person to chair a meeting or on a question of adjournment must be taken immediately.

(b) A poll demanded on any other question must be taken either immediately or at such time and place as the person who is chairing the meeting directs.

(c) The poll must be taken within thirty days after it has been demanded.

(d) If the poll is not taken immediately at least seven clear days' notice shall be given specifying the time and place at which the poll is to be taken.

(e) If a poll is demanded the meeting may continue to deal with any other business that may be conducted at the meeting.

Content of proxy notices

22. (1) Proxies may only validly be appointed by a notice in writing (a

'proxy notice') which -

- (a) states the name and address of the member appointing the proxy;
 - (b) identifies the person appointed to be that member's proxy and the general meeting in relation to which that person is appointed;
 - (c) is signed by or on behalf of the member appointing the proxy, or is authenticated in such manner as the directors may determine; and
 - (d) is delivered to the charity in accordance with the articles and any instructions contained in the notice of the general meeting to which they relate.
- (2) The charity may require proxy notices to be delivered in a particular form, and may specify different forms for different purposes.
 - (3) Proxy notices may specify how the proxy appointed under them is to vote (or that the proxy is to abstain from voting) on one or more resolutions.
 - (4) Unless a proxy notice indicates otherwise, it must be treated as -
 - (a) allowing the person appointed under it as a proxy discretion as to how to vote on any ancillary or procedural resolutions put to the meeting; and
 - (b) appointing that person as a proxy in relation to any adjournment of the general meeting to which it relates as well as the meeting itself.

Delivery of proxy notices

22A (1) A person who is entitled to attend, speak or vote (either on a show of hands or on a poll) at a general meeting remains so entitled in respect of that meeting or any adjournment of it, even though a valid proxy notice has been delivered to the charity by or on behalf of that person.

- (2) An appointment under a proxy notice may be revoked by delivering to the charity a notice in writing given by or on behalf of the person by whom or on whose behalf the proxy notice was given.
- (3) A notice revoking a proxy appointment only takes effect if it is delivered before the start of the meeting or adjourned meeting to which it relates.
- (4) If a proxy notice is not executed by the person appointing the proxy, it must be accompanied by written evidence of the authority of the person who executed it to execute it on the appointor's behalf.

Written resolutions

23 (1) A resolution in writing agreed by a simple majority (or in the case of a special resolution by a majority of not less than 75%) of the members who would have been entitled to vote upon it had it been proposed at a general meeting shall be effective provided that:

- (a) a copy of the proposed resolution has been sent to every eligible member;
 - (b) a simple majority (or in the case of a special resolution a majority of not less than 75%) of members has signified its agreement to the resolution; and
 - (c) it is contained in an authenticated document which has been received at the registered office within the period of 28 days beginning with the circulation date.
- (2) A resolution in writing may comprise several copies to which one or more members have signified their agreement.
 - (3) In the case of a member that is an organisation, its authorised representative may signify its agreement.

Votes of members

24 Subject to article 11, every member, whether an individual or an organisation, shall have one vote.

25 Any objection to the qualification of any voter must be raised at the meeting at which the vote is tendered and the decision of the person who is chairing the meeting shall be final.

26 (1) Any organisation that is a member of the charity may nominate any person to act as its representative at any meeting of the charity.

(2) The organisation must give written notice to the charity of the name of its representative. The representative shall not be entitled to represent the organisation at any meeting unless the notice has been received by the charity. The representative may continue to represent the organisation until written notice to the contrary is received by the charity.

(3) Any notice given to the charity will be conclusive evidence that the representative is entitled to represent the organisation or that his or her authority has been revoked. The charity shall not be required to consider whether the representative has been properly appointed by the organisation.

Directors

27 (1) A director must be a natural person aged 16 years or older.

(2) No one may be appointed a director if he or she would be disqualified from acting under the provisions of article 39.

28 The minimum number of directors shall be 2 but (unless otherwise determined by ordinary resolution) shall not be subject to any maximum.

29 The first directors shall be those persons notified to Companies House as the first directors of the charity.

30 A director may not appoint an alternate director or anyone to act on his or her behalf at meetings of the directors.

Powers of directors

31(1) The directors shall manage the business of the charity and may exercise all the powers of the charity unless they are subject to any restrictions imposed by the Companies Acts, the articles or any special resolution.

(2) No alteration of the articles or any special resolution shall have retrospective effect to invalidate any prior act of the directors.

(3) Any meeting of directors at which a quorum is present at the time the relevant decision is made may exercise all the powers exercisable by the directors.

Retirement of directors

32 At the first annual general meeting all the directors must retire from office unless by the close of the meeting the members have failed to elect sufficient directors to hold a quorate meeting of the directors. At each subsequent annual general meeting one-third of the directors or, if their number is not three or a multiple of three, the number nearest to one-third, must retire from office. If there is only one director he or she must retire.

33 (1) The directors to retire by rotation shall be those who have been longest in office since their last appointment. If any directors became or were appointed directors on the same day those to retire shall (unless they otherwise agree among themselves) be determined by lot.

(2) If a director is required to retire at an annual general meeting by a provision of the articles the retirement shall take effect upon the conclusion of the meeting.

Appointment of directors

34 The charity may by ordinary resolution:

- (1) appoint a person who is willing to act to be a director; and
- (2) determine the rotation in which any additional directors are to retire.

35 No person other than a director retiring by rotation may be appointed a director at any general meeting unless:

- (1) he or she is recommended for re-election by the directors; or
- (2) not less than fourteen nor more than thirty-five clear days before the date of the meeting, the charity is given a notice that:
 - (a) is signed by a member entitled to vote at the meeting;
 - (b) states the member's intention to propose the appointment of a person as a director;
 - (c) contains the details that, if the person were to be appointed, the charity would have to file at Companies House; and
 - (d) is signed by the person who is to be proposed to show his or her willingness to be appointed.

36 All members who are entitled to receive notice of a general meeting must be given not less than seven nor more than twenty-eight clear days' notice of any resolution to be put to the meeting to appoint a director other than a director who is to retire by rotation.

37 (1) The directors may appoint a person who is willing to act to be a director.

(2) A director appointed by a resolution of the other directors must retire at the next annual general meeting and must not be taken into account in determining the directors who are to retire by rotation.

38 The appointment of a director, whether by the charity in general meeting or by the other directors, must not cause the number of directors to exceed any number fixed as the maximum number of directors.

Disqualification and removal of directors

39 A director shall cease to hold office if he or she:

- (1) ceases to be a director by virtue of any provision in the Companies Acts or is prohibited by law from being a director;

- (2) is disqualified from acting as a trustee by virtue of sections 178 and 179 of the Charities Act 2011 (or any statutory reenactment or modification of those provisions);
- (3) ceases to be a member of the charity;
- (4) becomes incapable by reason of mental disorder, illness or injury of managing and administering his or her own affairs;
- (5) resigns as a director by notice to the charity (but only if at least two directors will remain in office when the notice of resignation is to take effect); or
- (6) is absent without the permission of the directors from all their meetings held within a period of six consecutive months and the directors resolve that his or her office be vacated.

Remuneration of directors

40 The directors must not be paid any remuneration unless it is authorised by article 7.

Proceedings of directors

- 41 (1) The directors may regulate their proceedings as they think fit, subject to the provisions of the articles.
- (2) Any director may call a meeting of the directors.
 - (3) The secretary (if any) must call a meeting of the directors if requested to do so by a director.
 - (4) Questions arising at a meeting shall be decided by a majority of votes.
 - (5) In the case of an equality of votes, the person who is chairing the meeting shall have a second or casting vote
 - (6) A meeting may be held by suitable electronic means agreed by the directors in which each participant may communicate with all the other participants.
- 42 (1) No decision may be made by a meeting of the directors unless a quorum is present at the time the decision is purported to be made. Present' includes being present by suitable electronic means agreed by the directors in which a participant or participants may communicate with all the other participants.
- (2) The quorum shall be two or the number nearest to one-third of the total number of directors, whichever is the greater, or such larger number as may be decided from time to time by the directors.
 - (3) A director shall not be counted in the quorum present when any decision is made about a matter upon which that director is not entitled to vote.
- 43 If the number of directors is less than the number fixed as the quorum, the continuing directors or director may act only for the purpose of filling vacancies or of calling a general meeting.
- 44 (1) The directors shall appoint a director to chair their meetings and may at any time revoke such appointment.
- (2) If no-one has been appointed to chair meetings of the directors or if the person appointed is unwilling to preside or is not present within ten minutes after the time

appointed for the meeting, the directors present may appoint one of their number to chair that meeting.

(3) The person appointed to chair meetings of the directors shall have no functions or powers except those conferred by the articles or delegated to him or her by the directors.

45 (1) A resolution in writing or in electronic form agreed by all of the directors entitled to receive notice of a meeting of the directors and to vote upon the resolution shall be as valid and effectual as if it had been passed at a meeting of the directors duly convened and held.

(2) The resolution in writing may comprise several documents containing the text of the resolution in like form to each of which one or more directors has signified their agreement.

Delegation

46 (1) The directors may delegate any of their powers or functions to a committee of two or more directors but the terms of any delegation must be recorded in the minute book.

(2) The directors may impose conditions when delegating, including the conditions that:

(a) the relevant powers are to be exercised exclusively by the committee to whom they delegate;

(b) no expenditure may be incurred on behalf of the charity except in accordance with a budget previously agreed with the directors.

(3) The directors may revoke or alter a delegation.

(4) All acts and proceedings of any committees must be fully and promptly reported to the directors.

Validity of directors' decisions

47 (1) Subject to article 47(2), all acts done by a meeting of directors, or of a committee of directors, shall be valid notwithstanding the participation in any vote of a director:

(a) who was disqualified from holding office;

(b) who had previously retired or who had been obliged by the constitution to vacate office;

(c) who was not entitled to vote on the matter, whether by reason of a conflict of interests or otherwise; if without:

(d) the vote of that director; and

(e) that director being counted in the quorum; the decision has been made by a majority of the directors at a quorate meeting.

(2) Article 47(1) does not permit a director or a connected person to keep any benefit that may be conferred upon him or her by a resolution of the directors or of a committee of directors if, but for article 47(1), the resolution would have been void, or if the director has not complied with article 8.

Seal

48 If the charity has a seal it must only be used by the authority of the directors or of a committee of directors authorised by the directors. The directors may determine who shall sign any instrument to which the seal is affixed and unless otherwise so determined it shall be signed by a director and by the secretary (if any) or by a second director.

Minutes

49 The directors must keep minutes of all:

- (1) appointments of officers made by the directors;
- (2) proceedings at meetings of the charity;
- (3) meetings of the directors and committees of directors including:
 - (a) the names of the directors present at the meeting;
 - (b) the decisions made at the meetings; and
 - (c) where appropriate the reasons for the decisions.

Accounts

50 (1) The directors must prepare for each financial year accounts as required by the Companies Acts. The accounts must be prepared to show a true and fair view and follow accounting standards issued or adopted by the Accounting Standards Board or its successors and adhere to the recommendations of applicable Statements of Recommended Practice.

(2) The directors must keep accounting records as required by the Companies Act.

Annual Report and Return and Register of Charities

51 (1) The directors must comply with the requirements of the Charities Act 2011 with regard to the:

- (a) transmission of a copy of the statements of account to the Commission;
 - (b) preparation of an Annual Report and the transmission of a copy of it to the Commission;
 - (c) preparation of an Annual Return and its transmission to the Commission.
- (2) The directors must notify the Commission promptly of any changes to the charity's entry on the Central Register of Charities.

Means of communication to be used

52 (1) Subject to the articles, anything sent or supplied by or to the charity under the articles may be sent or supplied in any way in which the Companies Act 2006 provides for documents or information which are authorised or required by any provision of that Act to be sent or supplied by or to the charity. (2) Subject to the articles, any notice or document to be sent or supplied to a director in connection with the taking of decisions by directors may also be sent or supplied by the means by which that director has asked to be sent or supplied with such notices or documents for the time being.

53 Any notice to be given to or by any person pursuant to the articles:

- (1) must be in writing; or
 - (2) must be given in electronic form.
- 54 (1) The charity may give any notice to a member either:
- (a) personally; or
 - (b) by sending it by post in a prepaid envelope addressed to the member at his or her address; or
 - (c) by leaving it at the address of the member; or
 - (d) by giving it in electronic form to the member's address.
 - (e) by placing the notice on a website and providing the person with a notification in writing or in electronic form of the presence of the notice on the website. The notification must state that it concerns a notice of a company meeting and must specify the place date and time of the meeting.
- (2) A member who does not register an address with the charity or who registers only a postal address that is not within the United Kingdom shall not be entitled to receive any notice from the charity.
- 55 A member present in person at any meeting of the charity shall be deemed to have received notice of the meeting and of the purposes for which it was called.
- 56 (1) Proof that an envelope containing a notice was properly addressed, prepaid and posted shall be conclusive evidence that the notice was given.
- (2) Proof that an electronic form of notice was given shall be conclusive where the company can demonstrate that it was properly addressed and sent, in accordance with section 1147 of the Companies Act 2006.
- (3) In accordance with section 1147 of the Companies Act 2006 notice shall be deemed to be given:
- (a) 48 hours after the envelope containing it was posted; or
 - (b) in the case of an electronic form of communication, 48 hours after it was sent.

Indemnity

- 57 (1) The charity may indemnify a relevant director against any liability incurred in that capacity, to the extent permitted by sections 232 to 234 of the Companies Act 2006.
- (2) In this article a 'relevant director' means any director or former director of the charity
- 57 A The charity may indemnify an auditor against any liability incurred by him or her or it
- (1) in defending proceedings (whether civil or criminal) in which judgment is given in his or her or its favour or he or she or it is acquitted; or
 - (2) in connection with an application under section 1157 of the Companies Act 2006 (power of Court to grant relief in case of honest and reasonable conduct) in which relief is granted to him or her or it by the Court.

Rules

- 58 (1) The directors may from time to time make such reasonable and proper rules or bye laws as they may deem necessary or expedient for the proper conduct and management of the charity.

- (2) The bye laws may regulate the following matters but are not restricted to them:
 - (a) the admission of members of the charity (including the admission of organisations to membership) and the rights and privileges of such members, and the entrance fees, subscriptions and other fees or payments to be made by members;
 - (b) the conduct of members of the charity in relation to one another, and to the charity's volunteers;
 - (c) the setting aside of the whole or any part or parts of the charity's premises at any particular time or times or for any particular purpose or purposes;
 - (d) the procedure at general meetings and meetings of the directors in so far as such procedure is not regulated by the Companies Acts or by the articles;
 - (e) generally, all such matters as are commonly the subject matter of company rules.
- (3) The charity in general meeting has the power to alter, add to or repeal the rules or bye laws.
- (4) The directors must adopt such means as they think sufficient to bring the rules and bye laws to the notice of members of the charity.
- (5) The rules or bye laws shall be binding on all members of the charity. No rule or bye law shall be inconsistent with, or shall affect or repeal anything contained in, the articles.

Disputes

59 If a dispute arises between members of the charity about the validity or propriety of anything done by the members of the charity under these articles, and the dispute cannot be resolved by agreement, the parties to the dispute must first try in good faith to settle the dispute by mediation before resorting to litigation.

Dissolution

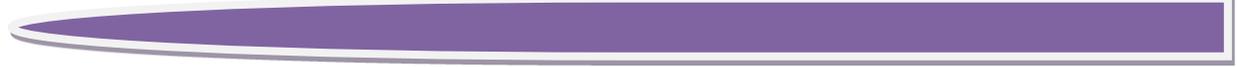
60 (1) The members of the charity may at any time before, and in expectation of, its dissolution resolve that any net assets of the charity after all its debts and liabilities have been paid, or provision has been made for them, shall on or before the dissolution of the charity be applied or transferred in any of the following ways:

- (a) directly for the Objects; or
 - (b) by transfer to any charity or charities for purposes similar to the Objects; or
 - (c) to any charity or charities for use for particular purposes that fall within the Objects.
- (2) Subject to any such resolution of the members of the charity, the directors of the charity may at any time before and in expectation of its dissolution resolve that any net assets of the charity after all its debts and liabilities have been paid, or provision made for them, shall on or before dissolution of the charity be applied or transferred:
- (a) directly for the Objects; or
 - (b) by transfer to any charity or charities for purposes similar to the Objects; or
 - (c) to any charity or charities for use for particular purposes that fall within the Objects.
- (3) In no circumstances shall the net assets of the charity be paid to or distributed among the members of the charity (except to a member that is itself a charity) and if no resolution in accordance with article 60(1) is passed by the members or the directors the net assets of the charity shall be applied for charitable purposes as directed by the Court or the Commission.

Interpretation

61. In article 7, sub-clause (2) of article 9 and sub-clause (2) of article 47 'connected person' means:

- (1) a child, parent, grandchild, grandparent, brother or sister of the director;
 - (2) the spouse or civil partner of the director or of any person falling within sub-clause (1) above;
 - (3) a person carrying on business in partnership with the director or with any person falling within sub-clause (1) or (2) above;
 - (4) an institution which is controlled –
 - (a) by the director or any connected person falling within sub-clause (1), (2), or (3) above; or
 - (b) by two or more persons falling within sub-clause 4(a), when taken together
 - (5) a body corporate in which –
 - (a) the director or any connected person falling within subclauses (1) to (3) has a substantial interest; or
 - (b) two or more persons falling within sub-clause (5)(a) who, when taken together, have a substantial interest.
- (c) Sections 350 – 352 of the Charities Act 2011 apply for the purposes of interpreting the terms used in this article.



LAVENDER HILL MOB THEATRE COMPANY

Registered Charity **1150188** Company Limited by Guarantee **8264851**

48, King Street, King's Lynn, Norfolk. PE30 1HE
07769 177501

Email: info@lhmtc.co.uk Web: www.lhmtc.co.uk

Documentation prepared by M. Miles, T. Rock (2014-2020)

