

FRIENDS OF CWMDU MUSIC

MANDATORY POLICIES

1. INTERNAL FINANCIAL CONTROLS

1.1. The Treasurer is authorised –

- a. to make payments to performers for their fees (having secured the agreement as to the quantum from a majority of Trustees)
- b. to pay the hire cost to St Michael's Church, Cwmdru
- c. to make other payments for costs and expenses below £200.

1.2. Any other expenditure or grants made must be authorised by a majority of the Board of Trustees, either at a minuted Trustee Meeting or via communal email correspondence.

1.3. Two Trustees must certify the amount of any cash takings at a concert.

1.4. At every meeting of the Board of Trustees, the Treasurer must make a financial report.

1.5. All financial documents must be made available by the Treasurer for inspection by any Trustee at any reasonable time.

1.6. A financial report must be made by the Treasurer at every Annual General Meeting of the charity

1.7. There must be an independent validation of accounts at year end.

2. RESERVES

FCM Trustees have considered the guidance from the Charity Commission of 14 June 2023 on Charity Reserves: building resilience. They do not consider that there is a high likelihood of an unforeseen emergency or other unexpected call for funds, and they have no on-going operational costs. There may, however, be short-term calls on funds that require a prudent level of reserves.

Income is not evenly distributed through the year so it is not sensible to set reserves at a level that represents six months' income. Instead Trustees have decided to maintain reserves of £3000 at year end - a level that represents approximately half of annual income averaged over the last three years. The appropriate future level of reserves will be considered at each year end.

3. RISK MANAGEMENT

The Trustees do not consider that the Charity is exposed to any significant risks. However, it has identified the following as potential continuing risks:

- a. The programme of music offered fails to attract audiences sufficient to allow the Charity to fulfil its charitable purposes
Mitigation: record attendance, costs and revenues for each concert; review this information yearly, plan future events based on analysis of successful activity; on-going analysis of publicity
- b. Patrons and members are lost and replacements are not recruited, and that income therefore falls so preventing the Charity from fulfilling its charitable purposes
Mitigation: Discuss current levels of patrons and members at committee meetings twice yearly, to monitor funding levels; develop contact with potential new supporters as needed
- c. Accidental injury occurs to any person attending any event for which the Charity is responsible
Mitigation: take out suitable insurance policy; ensure as safe an environment as possible
- d. An inadvertent breach of data protection legislation occurs
Mitigation: confirm local systems which handle client data employ suitable security measures; use reliable 3rd party providers of external services; display a statement on our external communications advising clients of measures they can take to minimise security exposure; minimise our own use of any user tracking technologies on website, newsletter; purchase a mailbox for the new info@cwmdumusic.org domain
- e. The Charity is the victim of fraud by a Trustee
Mitigation: policy of internal financial controls for committee members and their spending; independent audit of year end accounts
- f. Any other reportable serious incident occurs, so damaging the Charity's reputation.
Mitigation: serious incident and safeguarding policies in place

Risk will be an agenda item at every meeting of the Trustees, who will consider both the six specified continuing risks and any other short-term risk that may occur. At each year end, Trustees will consider whether the list of continuing risks should be amended.

4. TRUSTEE EXPENSES

Trustees may be re-imbursed for any expenditure that they have incurred directly on behalf of the Charity and which they invoice electronically or in writing to the Treasurer. Expenditure over £50 must be authorised in advance by the Board of Trustees. Trustees receive no travelling expenses nor any other expenses for attending meetings.

5. TRUSTEE CONFLICT OF INTERESTS

Conflicts of interests may arise where an individual's financial, personal or family interests and/or loyalties conflict with those of the Charity. Trustees must at the earliest opportunity declare any such interests, including employment and appointments, to the Secretary. They should also declare any gifts or hospitality offered and received in connection with their role in the Charity. There is no need to declare an interest where the benefits are universal to all users.

An agenda item at each meeting of the Board of Trustees will be conflicts of interest. If a Trustee believes they have a perceived or real conflict of interest, they should withdraw from any discussions and decisions relating to the conflict.

Interests and gifts will be recorded on the Charity's Register of Interests, which will be maintained by the Secretary. The register will be accessible upon request.

6. SERIOUS INCIDENT REPORTING

6.1. The purpose of this policy is to ensure that Trustees of the Charity are able to identify serious incidents and consider whether to make a serious incident report to the Charity Commission for England and Wales (the "Commission") among other potential actions.

6.2. In particular, this policy sets out how the Charity seeks to ensure compliance with the Serious Incident Reporting (“SIR”) requirements of the Commission, which are set out in guidance available on its website (the “SIR Guidance”).

6.3. This policy applies to all those working on behalf of the Charity including Trustees, volunteers and contractors. Failure to adhere appropriately to the policy will be treated seriously. A breach of this policy may mean that the Charity would have to ask a person to cease being a volunteer or Trustee.

6.4. The Commission considers that, as a matter of good practice, all charities regardless of size or income should report serious incidents to the Commission promptly.

6.5. The Trustees are ultimately responsible for ensuring that the Charity reports any serious incidents in a timely manner.

6.6. The Commission defines a serious incident as an adverse event, whether actual or alleged, which results in or risks significant:

- a. harm to a charity’s beneficiaries, staff, volunteers or others who come into contact with the charity through its work;
- b. loss of a charity’s money or assets;
- c. damage to a charity’s property; and/or
- d. harm to a charity’s work or reputation.

6.7. “Significant” is in the context of the particular charity, taking account of its operations, finances and/or reputation.

6.8. The SIR Guidance identifies the following main categories of reportable incidents (references to staff or employees are omitted since the Charity has none):

- a. protecting people and safeguarding incidents. Incidents that have resulted in or risk significant harm to beneficiaries and other people who come into contact with the charity through its work (this includes incidents of abuse or mistreatment (actual or alleged) and a breach of procedures or policies which has put people who come into contact with

the charity at risk, including failure to carry out checks that would have identified that a person is disqualified in law from holding their position within the charity (e.g. under safeguarding legislation, from working with children or adults);

- b. financial crimes: fraud, theft, cyber-crime and money laundering;
- c. large donations from an unknown or unverifiable source, or suspicious financial activity using the charity's funds;
- d. other significant financial loss;
- e. links to terrorism or extremism;

- f. other significant incidents, such as:
 - i. a Trustee being disqualified from holding that position;
 - ii. something has happened to force the charity into insolvency or to wind up;
 - iii. forced withdrawal of banking services and difficulties securing alternative accounts;
 - iv. the charity is subject to a police investigation or a significant investigation by another agency/ regulator;
- g. major governance problems, such as mass resignation of Trustees, or other events, leaving the charity unable to operate;
- h. the charity's Trustees are the subject of criminal proceedings, in connection with the charity or their role in it; and
- i. there has been a significant data breach or loss within the charity.

6.9. The Commission recommends that any incident or matter that could get into the public domain or be reported in the media is reported to it as soon as possible (even if initially on an interim basis) so that the Commission can prepare its own public response and be in a position to say that it is already liaising with the Charity in relation to it.

6.10. The SIR Guidance provides more details about the types of matters that should be reported and also includes a table of examples of matters that usually should or should not be reported. This Policy and the SIR Guidance are not exhaustive, and matters may still constitute serious incidents if they do not fall within any of the categories identified above.

6.11. Through this policy, Trustees aim to raise awareness among all connected with the Charity so that they can identify serious incidents and know what to do if one occurs.

6.12. Any person who becomes aware of a potential serious incident should (if they are not a Trustee) bring the matter to the attention of a Trustee. If any potential serious incident comes to the attention of any Trustee, they should as soon as possible share that information with the full Board of Trustees for them to consider whether a serious incident report is required.

6.13. The Trustees (having been made aware of the incident) must respond to serious incidents promptly and ensure that all appropriate steps have been or are in process. The Trustees must also attempt to prevent or minimise any further harm, loss or damage.

6.14. Assessing whether a reportable serious incident has occurred is a matter for the Trustees to determine, having reviewed and considered the SIR Guidance and any related Commission documents or other guidance, and they may seek advice from professional advisers before doing so.

6.15. The Trustees will report reportable serious incidents to the Commission promptly. The urgency of reporting will depend on factors including the nature and seriousness of the incident, the potential impact on the Charity and whether it is likely that there will be media coverage of the incident.

6.16. The following information should be included in the report:

- a. the individual submitting the report and their connection to the Charity;
- b. who within the Board of Trustees is aware of the incident, for example all Trustees or only some of them;
- c. what happened and when the Charity first became aware of it (it is not necessary to provide names of individuals involved in the initial report);
- d. the effect of the incident on the Charity or its beneficiaries or both;
- e. the action being taken to deal with the incident and prevent resulting risks and future occurrences;
- f. whether and when it was reported to the police or another regulator/statutory or other agency (including official reference numbers) any action taken, whether any guidance was offered and the extent to which the guidance has been followed;
- g. media/donor/patron/public relations handling plans that have been or will be prepared by the Charity, if any;
- h. insurance coverage, if any, and notification to and/or correspondence with the insurers where relevant;

- i. any other review or investigation that will take place as a result of the incident or allegation, including in respect of governance arrangements, contracts with third parties or policies and procedures; and
- j. specifying whether the information is confidential and/or may risk identification of individuals if disclosed externally.

6.17. Trustees will review what happened and identify and take steps to prevent it from happening again – this may include strengthening internal controls and procedures and/or seeking appropriate help from professional advisers.

6.18. Consideration must also be given to whether a serious incident should be reported to the Charity's insurers in accordance with any relevant insurance policy.

6.19. In addition to making a serious incident report to the Commission, where appropriate the Trustees will also inform or make reports to other relevant regulators or agencies. The Charity should report:

- a. crime, or suspected crime, to the police;
- b. any incidents of harm or risk of harm to children or vulnerable adults (including any concerns, suspicions or allegations) to Powys County Council;
- c. incidents of fraud and cyber-crime that take place in connection with the Charity to Action Fraud;
- d. any serious data breaches to the Information Commissioner's Office; and
- e. any incidents relating to possible terrorist financing offences to police or the National Crime Agency (NCA).

6.20. The Charity must carefully consider and have due regard to any and all advice given by statutory or other bodies in relation to its handling of the incident or allegation. How it has dealt with that advice must be documented and explained to the Commission in the serious incident report made.

6.21. This policy will be subject to review by the Board of Trustees every 2 years; upon the Commission issuing updated guidance in relation to serious incident reporting, whichever occurs first, or as otherwise appropriate. The most recent version of this policy can always be found on the Charity's website.

7. SAFEGUARDING

7.1. Introduction

This policy applies to all Trustees, Volunteers and anyone acting on behalf of the Friends of Cwmdu Music (FCM).

FCM is committed to best safeguarding practice and to uphold the rights of all to live a life free from harm from abuse, exploitation and neglect.

Trustees do not believe that there is a substantial risk of abuse of either children or vulnerable adults at events for which FCM is responsible. However, children and vulnerable adults may attend concerts, and are encouraged to do so. Having a safeguarding policy, actively implemented, is therefore necessary.

FCM Trustees recognise that there is a legal framework within which all organisations should work to safeguard adults and children who have needs for their care and support and for protecting those who are unable to take action to protect themselves. Trustees will act in accordance with the relevant safeguarding legislation and with local statutory safeguarding procedures.

7.2 Scope of the Policy

The aim of this policy is to ensure both:

- the safety of vulnerable adults and children who attend FCM events by outlining clear procedures for handling safeguarding issues
- that all FCM Trustees and volunteers are clear about their safeguarding responsibilities.

7.3 Definitions

A ***Vulnerable Adult*** is a person aged 18 or over who is, or may be, in need of community care services by reason of mental or other disability, age or illness, and is, or may be, unable to take care of themselves against significant harm or exploitation.

A **Child** is defined as a person under the age of 18. Exceptions to this are: Children who are placed in local authority care are usually classed as children until 21, and those with special needs are regarded as children while aged under 25.

7.4. What is abuse?

FCM believes that a child or vulnerable adult should never experience abuse or exploitation of any kind.

Abuse can take a variety of forms.

Children. The abuse can typically be categorised as: physical abuse, sexual abuse, neglect or acts of omission, psychological and emotional abuse

Vulnerable Adults. Although the forms of abuse are the same for vulnerable adults as they are for children, the definitions may alter slightly, with additional forms of abuse which may be relevant to vulnerable adults. The abuse can typically be categorised as: physical abuse, sexual abuse, psychological/emotional abuse, financial or material abuse, neglect or acts of omission, discriminatory abuse, institutional abuse.

7.5. Implementing this policy

FCM will ensure that all Trustees and Volunteers are aware of these safeguarding procedures, and that they acknowledge that safeguarding is everyone's responsibility

Everyone who attends FCM events should be made to feel safe and Trustees and Volunteers of FCM should ensure that they:

- Treat children and adults with respect
- Listen and take into account everyone's views
- Take concerns about individual welfare issues seriously and, where there are concerns, take the appropriate action set out below

FCM Trustees and Volunteers will not:

- Permit abusive behaviour
- Have inappropriate physical or verbal contact with others

- Deliberately place themselves or others in a compromising situation
- Let suspicion, disclosure or allegations go unrecorded or unreported.

On occasions, FCM Trustees or Volunteers may have valid reason to engage with children at FCM events. On all occasions, contact should occur in the presence of a parent, guardian, teacher or group leader who retains primary responsibility for the welfare of the child, and no child will be permitted to attend an event except with a parent, guardian, teacher or group leader. That does not remove the responsibility of FCM Trustees and Volunteers to implement this policy, or take action when concerns arise.

7.6. When concerns arise

If there is concern regarding safeguarding, this should be brought to the attention of the Chair of Trustees and to the designated Safeguarding Trustee, who is Jan Renshaw. This should not delay the reporting of the concern to the relevant statutory authorities who have a legal duty to act, see below.

FCM Trustees should not act as investigators or assessors of the concerns or allegations, but should ensure that these suspicions or allegations are reported without delay.

If the local children's or adults' safeguarding services are contacted, they will record concerns and follow them up. Concerns should not be discussed with anyone outside these teams and a note should be taken of the date, time and person with whom the concerns were discussed.

7.7. Emergency procedures

Powys County Council advise that the following process should be followed if you see or hear someone being harmed or abused, or if someone has told you they are being harmed or abused. FCM expect that Trustees and volunteers will follow these steps.

In an emergency, don't wait - call 999.

- Do get medical help if they have been hurt
- Do call the police if you suspect a crime
- Do listen and reassure the victim

- Do preserve evidence (the police will tell you about this)
- Don't push for information about what happened

Powys County Council 01597 827666 (office hours) 0845 054 4847 (out of hours)

Jan Renshaw (Safeguarding Trustee) 07855 137510

Revision: 2024-01-23/1