

# Maindee Festival Association

## Policies

### Why do we need policies?

- The Association is broadly guided by our constitution. The constitution describes what we aim to do, how we organise ourselves and how we take decisions.
- We also need guidance on a range of specific areas that are not described in our constitution. This guidance is developed in our policies.
- Our policies help to guide the Association to ensure that any decisions and actions we take support our core objectives, are legal and protect the interests of the broader community, our organisation's partners and our funders.
- Some of our policies, for example "equal opportunities", are long standing and support our core objectives. Others, such as our "conflict of interest" policy, are more specific to a particular aspect of our work.
- We have tried to make our policies as simple and direct as possible. But sometimes they do get complicated and may be difficult to understand. Please contact us if you need any more information or explanation. Mail us at [info@maindee.org](mailto:info@maindee.org)

### Contents

**Safe Children, Young People and Vulnerable Adults Policy.** This policy builds on our existing child protection policy, extending its scope to young people and vulnerable adults.

**Child Protection Policy.** This core policy focuses on risks to children of physical or mental abuse.

**Equal Opportunities Policy.** Another core policy stating our full commitment to equal opportunities.

**Volunteering Policy.** Adopted in 2008 to affirm our commitment to supporting and encouraging volunteering.

**Conflict of Interest Policy** Another recent policy to guide us on areas where Trustees may have a conflict of interest. For example, where a person's family or personal interests conflicts with those of the Association.

**Policy on Recruitment of People with a Criminal Record.** This policy on recruitment builds on our equal opportunities policy by including "an offending background" as an additional ground on which we would not discriminate against a person unless this would create risk to children, young people or vulnerable adults.

**Data Protection Policy** Provides public assurance on the way we manage personal data. It was extended in 2008 to comply with the Criminal Records Bureau's code of practice of the management of information relating to the disclosure of previous offences.

**Reserves Policy** A financial policy that guides us on the appropriate minimum and maximum levels of cash we should hold in reserve at any time.

**Traders Terms and Conditions Policy.** Sets out the rules that traders must comply with.

# **1. Safe Children, Young People and Vulnerable Adults Policy**

## **1. Policy Statement**

1.1 Maindee Festival Association (MFA) will take all reasonable steps to ensure the safety of all children, young people & vulnerable adults participating in pre-festival workshop, the street parade and all Maindee Festival events.

1.2 MFA believes that the safety of children, young people & vulnerable adults is paramount on all occasions.

1.3 MFA recognises the importance of the guidance contained within Chapter 22 of the Event Safety Guide published by the Health and Safety Executive.

## **2. The objectives of this policy**

2.1 To protect children, young people & vulnerable adults participating in the Maindee Festival and associated events from:

- HARM: Injury; Abduction; Attack; Emotional distress
- ABUSE: Verbal; Physical; Sexual; Bullying
- EXPOSURE TO INAPPROPRIATE: Attitudes; Language; Materials; Actions

2.2 Through these objectives MFA is committed to ensuring that all possible situations are risk assessed to ascertain the level of risk involved. MFA will then endeavour to establish suitable control measures to reduce the risk to acceptable levels. Both artists and stewards must be aware of the risk assessment and control measures in place.

2.3 This MFA Safe Children, Young People & Vulnerable Adults Policy will be accessible to all artists and stewards and also available for inspection to all.

## **3. Protection from harm and abuse**

3.1 All Festival venues will have: Adequate lighting and ventilation, Adequate supervision, Access to toilets and running water within a reasonable distance; No smoking in all covered or enclosed areas; Provision for the regular and safe disposal of rubbish; Suitable levels of adult supervision at all times

3.2 Activities: Each activity and event will have a maximum number of participants. Age guidelines will be defined for all daytime activities where children or vulnerable people are unaccompanied by parents or carers. Leaders of all craft and making things activities will be expected to adhere to the "Guidelines for Working in Craft Activities within the Maindee Festival". See appendix A of this policy. MFA has a commitment to the equality of opportunity for all children, young people and vulnerable adults, including those with disabilities to actively participate within its events

3.3 Adult Supervision: Events must be arranged and managed by responsible and suitable adults who have relevant expertise and experience. A named person will have overall responsibility for organising the children's events. Workers and volunteers must not be under the influence of alcohol or drugs. Workers and volunteers must be deemed to be medically fit. MFA will ensure that appropriate First Aid cover is provided. All workers and volunteers must know the nearest First Aid point and all emergency procedures. MFA will make every effort to ensure that all people working with children, young people and vulnerable adults are fully briefed on all aspects of event safety and protection issues. All accidents must be recorded on an accident form, to be held in the Festival accident folder. Children under 8 years must not be left unattended. It is inadvisable for children under 8 years to leave the event unless accompanied by a parent or carer. All artists and stewards must take all possible steps to avoid the inappropriate handling or touching of any child

3.4 Behaviour Management: All artists and stewards must be conversant with procedures for discipline and dealing with uncooperative children. MFA will not accept disruptive or unruly behaviour from any child which spoils the enjoyment by others. Bullying and physical abuse from one person to another, will not be tolerated. Corporal punishment (smacking, slapping and shaking) is illegal. Practices that threaten, frighten or humiliate people must not be used

3.5 Lost Children or Vulnerable Adults: All stewards must be aware of the Lost Children or Vulnerable Adults Procedure as stated in stewards briefing notes. Children who are lost will be taken to the designated lost children's area. In most cases a lost child or vulnerable person should not be in the Festival's care for more than half an hour before being handed over to the police or Social Services.

#### **4. Protection from sexual abuse**

4.1 MFA is totally committed to protecting vulnerable people of all ages from sexual abuse. We require our Trustees and workshop leaders to be CRB checked. It is neither practically possible nor legally required, for all artists and volunteer stewards working within the Maindee Festival, to be police checked or to have a Criminal Records Bureau Disclosure.

4.2 However, MFA is confident that a significant majority of artists and volunteer stewards working with vulnerable people at the Festival do fulfil these requirements.

4.3 To ensure that children are protected from both sexual and all other types of abuse, MFA reserves the right not to employ in any capacity: Any person with a known history of sexual abuse to children. Any other person that they feel presents a danger or threat to the safety of children

4.4 MFA will endeavour to take all reasonable steps possible, to ensure that there are no situations where any artist or volunteer steward is working within a situation where they have sole charge and unsupervised access to children.

4.5 MFA is totally committed to reviewing this Policy every two years, to ensure that there is neither complacency nor negligence in its commitment to protecting children from abuse.

#### **5. Protection from exposure to inappropriate activities, actions, language and materials**

- 5.1 The Festival is committed to: Booking childrens performers whose acts have been previously viewed or who provide creditable references. Ensuring that performers or stewards do not swear, use lewd actions or make inappropriate references to sexual or illegal activities. Ensuring that artists and stewards avoid overt criticism or sarcasm to any child. Providing artists with guidance about the age range of children. Ensure that all artists and stewards avoid stereotypical attitudes, racist terminology or gender bias

**Date: April 2007**

**Last Reviewed: October 2011**

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## **GUIDELINES FOR WORKING IN CRAFT ACTIVITIES WITHIN THE FESTIVAL**

It is not possible to remove risk altogether in craft activities, but it is essential to reduce any such risk to acceptable levels by careful planning and selection of materials to be used. All people working in craft activities must be safety conscious at all times and activity leaders should carry out a basic Risk Assessment on their activity before arriving at the Festival. Stewards are present to help with activities and to minimise risk. Stewards will carry out regular checks on materials being used. If they are not happy with materials being used they must be withdrawn from use immediately.

### **THE USE OF MATERIALS AND TOOLS**

Ensure that all adhesives, paints, varnishes etc. are suitable for use with children i.e. are non-toxic and non-allergenic. Check all materials, especially re cycled junk materials, thoroughly for cleanliness, staples etc. Be aware that some children are allergic to unexpected substances like sandpaper and some even react to substances, which are generally considered to be safe. The Festival informs parents via the Children's Programme that substances like sandpaper and PVA may be used. Be especially careful with the use of "sharps" e.g. scissors, craft knives. It is best to use only round-ended scissors and restrict the use of real "sharps" to adults. Consider carefully the need to use tools in your sessions, it may be safer to pre-cut the items. Be constantly aware of the location of your tools, and at the end of each session make sure that all are accounted for. Hot glue guns, staple guns and other similar tools should be kept away from children and should only used by adults. Any possible sources of heat e.g. hot water, hot irons should be kept out of the reach of children and supervised at all times. Always consider how essential such things are to the success of the activity and plan for their safe use.

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## **2. Child Protection Policy**

### **1. Policy Statement**

Child abuse is a global phenomenon. It occurs in all countries and in all societies. It involves the physical, sexual, emotional abuse and neglect of children. It is nearly always preventable.

Maindee Festival Association (MFA) believes that:

- Children have the right to a happy, healthy and secure childhood
- The abuse of children is an abuse of their rights as set out in the UN Convention on the Rights of the Child
- Child abuse is *never* acceptable.

MFA will take all reasonable steps to ensure the safety of all children, young people & vulnerable adults participating in pre-festival workshop, the street parade and all Maindee Festival events from abuse.

**Date Created :** April 2002

**Last Reviewed:** October 2011

### **THE PROBLEM OF ABUSE**

Child abuse is a global phenomenon. MFA works with many children and young people living in Newport, South Wales. Sadly, a proportion of these children will have experienced abuse, or will be at risk of abuse in one form or another. MFA's child protection policy recognises this fact and aims to ensure that the problem of child abuse and how to prevent it is addressed in every aspect of our work with and for children.

### **MFA, CHILDREN'S RIGHTS AND CHILD ABUSE**

MFA supports the vision of a world where the lives of all children reflect the international standards set out in the UN Convention on the Rights of the Child. This includes the right to freedom from abuse and exploitation. The child protection policy aims to translate this commitment to children's rights into a practical reality through our work with children.

### **SAFEGUARDING CHILDREN**

Through its emphasis on prevention, the policy aims to minimise the risks of children being abused. MFA will also do all it can to ensure that children who are being abused, or who are at risk of abuse, are supported and given protection. It is also possible that, on occasions, staff and others engaged by MFA or its partners to work with children, may pose a risk to children and abuse their position of trust. The policy demands the highest standards of professional practice in work with children and describes the values and principles that must underpin our approach to children.

### **MFA's POLICY COMMITMENT**

MFA's child protection policy covers all contact with children at any MFA event or activity. We will ensure that our staff, volunteers, contractors or partners:

- are aware of the problem of child abuse
- safeguard children from abuse through good practice
- report all concerns about possible abuse
- respond appropriately when abuse is discovered or suspected.

### **WHAT ARE MY RESPONSIBILITIES UNDER THE POLICY?**

All staff, volunteers and other representatives of MFA must be familiar with the policy and be aware of the problem of abuse and the risks to children.

Everyone is responsible for defending the rights of children and, where possible, preventing any abuse of children.

This means raising any concerns you may have about the safety of children and/or the behaviour of adults.

### **WHAT SHOULD I DO IF I SEE OR SUSPECT POSSIBLE ABUSE?**

Beyond immediate action to intervene to protect a child in cases where actual or potential harm is directly witnessed at that time, as a small voluntary organisation we do not have the expertise or authority to act on behalf of a child at risk. You therefore should:

- discuss the matter with an officer of MFA, or a trusted adult in the first instance to clarify your concern and then:
- Contact Newport Social Services Duty Desk on 01633 235407 (office hours)
- If there is a need for intervention out of hours, contact the police.

Concerns for the safety and well being of children can arise in a variety ways and in the whole range of different settings in which we work. For example, a child may tell you or display signs that they are being abused; someone may hint that a child is at risk or that a colleague is an abuser; you may witness or hear about abuse in another organisation.

If you have any suspicions or concerns regarding possible child abuse, or if there is anything with which you feel uncomfortable, you should raise these concerns with an officer of the Association or a trusted adult and then contact the Newport County Borough Council Social Services Duty Desk (01633 235407).

**The important thing is to act on your concerns!**

**ISSUE DATE: April 2007**

### **3. EQUAL OPPORTUNITIES POLICY**

The Maindee Festival Association exists to build bridges between different sections of the community.

#### **Equality of opportunity is at the heart of our aims.**

The Association is committed to both the avoidance of unlawful discrimination and the positive promotion of equal opportunities.

No employee or member of the Association, festival visitor or participant in any event organised by the Association shall experience more or less favourable treatment on the grounds of ability, gender, sexual orientation, marital status, family responsibility, age, race, colour, ethnic origin, nationality, trade union membership and activity, political or religious beliefs.

In order to ensure the effective implementation of this policy the Association will monitor its policies, practices and procedures on a continuing basis. Where appropriate, action will be taken to address any matters arising from monitoring. The Association's commitment to equal opportunities will be publicised as appropriate.

#### **COMMUNICATION OF POLICY**

Existing committee members will be provided with the policy. New committee members will be advised of the Equal Opportunities Policy which will also be made available to Festival contractors.

#### **OWNERSHIP AND LOCATION OF RESPONSIBILITIES**

The Association Chairperson has overall responsibility for ensuring the consistent application of the policy. All members are responsible, within the limits of the constitution, for ensuring that the policy is adhered to. All members must ensure that their conduct is in accordance with the Equal Opportunities Policy and members whose actions demonstrate a failure in this respect may have their membership revoked.

The Association Committee will nominate one member to act as the Equal Opportunities Advisor to the committee

#### **INFORMATION, ADVICE AND COUNSELLING**

Information and advice relating to the Equal Opportunities Policy should normally be sought in the first instance from the EO Advisor. Where this is not appropriate, or more specialist advice or information is required, the Association will liaise with representatives of relevant local organisations. Any member or participant who feels that the Association is failing in its responsibilities in respect to Equal Opportunities will be encouraged to contact the Chairman or EO Advisor, or failing this, to report the matter directly to the relevant officer in the Arts Council for Wales or Newport County Borough Council.

#### **OTHER EMPLOYMENT RELATED POLICIES, PROCEDURES AND CODES OF PRACTICE**

Existing policies, procedures, practices and implementation guidelines will be reviewed and revised, including recruitment and selection and training and development, if this applies.

Other new policies, for example harassment, will be developed as required as part of the effective implementation of the Equal Opportunities Policy.

### **MEMBER & STAFF TRAINING AND DEVELOPMENT**

The implications of the Equal Opportunities Policy will be addressed through appropriate training and development activities.

### **MONITORING AND REVIEW**

The implementation of the Policy will be monitored and reviewed regularly to determine and improve its effectiveness in developing an environment where equal opportunities are promoted positively by all members and staff.

Under representation of particular groups on the committee will be considered by the Association, and where appropriate, action plans will be developed to seek to redress the balance. Action plans could include development of training packages (for example, assertiveness, trans-cultural awareness and development opportunities) and appropriate equipment for disabled members and participants. Action plans developed where a specific need is identified through an Equal Opportunities audit will not be developed in isolation, but will be linked into individual training and development plans.

**FIRST ISSUE DATE: June 2001**

POLICY LAST REVIEWED: October 2010

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## **4. VOLUNTEERING POLICY**

### **Introduction**

Maindee Festival is an annual celebration of arts and cultural diversity. The day itself and the preparation promote the arts and brings together different people from the community and Newport.

- This policy is relevant to volunteers, funders and trustees
- The purpose of the policy is to ensure cohesion and consistency for volunteers
- The policy is endorsed by the committee and will be reviewed annually and modified if necessary

### **Commitment**

Maindee Festival Association recognises and values the contribution of volunteers and wishes to support them. It strives to place its volunteers in roles that are suitable for the volunteer and beneficial to the festival

### **Statement of Values and Principles**

Maindee Festival Association will:

- recognise people's different motives for volunteering and consider these when managing its volunteers
- respect and listen to the views of its volunteers
- feel that volunteering encourages altruism
- aim to promote and encourage community integration and feel that its use of volunteers aids this
- take a flexible and informal approach with its volunteers
- distinguish volunteering from employment
- treat its volunteers equally and respectfully

## **Definition**

The following definition of volunteering comes from the Welsh Government: 'Volunteering is an important expression of citizenship and an essential component of democracy. It is the commitment of time and energy for the benefit of society and the community and can take many forms. It is undertaken freely and by choice, without concern for financial gain'

Volunteers are an enhancement to and not a substitute for paid staff. Paid staff who work with volunteers will be made aware of the roles and responsibilities (including limitations) of the volunteers and treat them accordingly. If there is industrial action, volunteers will not be used as a replacement. There is no formal obligation on either side and therefore no contract regarding hours or tasks. The relationship is based on trust and either side expect support and commitment. Volunteers will be made aware of what is expected of them, their role and given set tasks to carry out.

## **Recruitment and selection**

M.F.A. is committed to equal opportunities and volunteers will be selected on ability to carry out tasks. Volunteers will be set tasks which match their personal skills, qualities and abilities. Where it is decided that a volunteer is not suitable, they will be sign posted to another organisation such as GAVO. A DBS check will only be carried out where necessary on volunteers who will be lone-working with children and/ or vulnerable adults. Applicant's information will be treated confidentially

## **Training and development**

Volunteers will be made aware of M.F.A.'s policies. Volunteers will have induction and be given necessary information to carry out tasks. M.F.A. recognises that

training and support is important. Therefore, volunteers will be encouraged to learn from and develop their role

## **Support and Supervision**

Volunteers will be given set tasks and trained/debriefed accordingly. Volunteers will have a designated person to guide and manage them; this designated person will support the volunteer with issues relating to volunteering. Volunteers will be invited to meetings where they can discuss issues. Volunteers will be thanked and shown appreciation

## **Expenses**

In order to ensure equal opportunities out of pocket expenses must be offered to all volunteers. Volunteers need to provide receipts to claim reasonable out of pocket expenses. Rates of re-imburement apply to all volunteers, committee members and staff and are approved by the Inland Revenue. During induction, volunteers will be made aware of procedure for claiming expenses.

## **Conditions of service**

Volunteers are covered by M.F.'s insurance when carrying out tasks. Volunteer's personal items will not be insured. Volunteers may leave at anytime. Feedback is welcome

## **Security and confidentiality**

If applicable, volunteers will be advised that they need to be confidential. For security and health and safety purposes, a designated person will hold a record of volunteer's names and addresses. Additional information may be held regarding training undertaken, for example.. Information on volunteers will be kept confidentially. Volunteers have access to their individual records and are informed of their rights under the Data protection act and M.Fs data protection policy

## **Settling differences**

Volunteers will be treated equally, objectively and consistently.. Their views will be taken into consideration and as many facts a possible gained before making decisions. A designated person will be responsible for handling volunteer's complaints and for volunteers conduct. An informal approach will be taken to problem solving in the first instant. If problems cannot be resolved between the designated person and the volunteer, they may have to go to the committee for discussion

## **Roles and responsibilities of the volunteer**

M.F.A. expects the following from its volunteers

- Primarily to carry out the tasks which have been mutually decided upon
- enthusiasm for training and support
- to be aware of and support M.F.A.'s values and aims
- to not bring shame or disrepute on M.F.A.
- be aware of and follow guidelines, procedures and policies when volunteering

**FIRST ISSUE DATE: June 2008**

POLICY LAST REVIEWED: October 2011

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## **5. CONFLICT OF INTEREST POLICY**

This policy applies to Trustees, members and staff of Maindee Festival Association

### **a) Why do we need this policy?**

Our trustees have an obligation to act in the best interests of the Maindee Festival Association and in accordance with the Association's constitution.

Staff and volunteers have similar obligations. Conflicts of interests may arise where an individual's personal or family interests and/or loyalties conflict with those of the Association.

Such conflicts may create problems; they can:

- Inhibit free discussion;
- Result in decisions or actions that are not in the interests of the Association; and
- Risk the impression that the Association has acted improperly.

The aim of this policy is to protect both the Association and the individuals involved from any appearance of impropriety.

### **b) The declaration of interests**

Accordingly, we ask Trustees and staff to declare their interests, and any gifts or hospitality received in connection with their role in the Association. A declaration of interests form will be provided for this purpose, listing the types of interest you should declare.

These declarations of interest need to be updated at least annually, and also when any changes occur.

If you are not sure what to declare, or whether/when your declaration needs to be updated, please err on the side of caution. If you would like to discuss this issue, please contact the Secretary for confidential guidance. Interests will be recorded on the Association's register of interests, which will be maintained by the Secretary. The register will be accessible on request by any member of the Association and our auditors.

## **Data Protection**

The information provided will be processed in accordance with data protection principles as set out in the Data Protection Act 1998. Data will be processed only to ensure that Trustees and staff act in the best interests of the Association. The information provided will not be used for any other purpose.

## **What to do if you face a conflict of interest**

If you are a user of the Association's services, or the carer of someone who uses these services, you should not be involved in decisions that directly affect the service that you, or the person you care for, receives. You should declare your interest at the earliest opportunity and withdraw from any subsequent discussion.

The same applies if you face a conflict for any other reason. You may, however, participate in discussions from which you may indirectly benefit, for example where the benefits are universal to all users, or where your benefit is minimal.

If you fail to declare an interest that is known to the Secretary and/or the Chair, the Secretary or Chair will declare that interest.

## **Decisions taken where a Trustee or member of staff has an interest**

In the event of the Trustees having to decide upon a question in which a Trustee or member of staff has an interest, all decisions will be made by vote, with a two thirds majority required. A quorum must be present for the discussion and decision; interested parties will not be counted when deciding whether the meeting is quorate.

Interested board members may not vote on matters affecting their own interests. They must absent themselves from the discussion.

All decisions under a conflict of interest will be recorded by the Secretary and reported in the minutes of the meeting. The report will record:

- The nature and extent of the conflict;
- An outline of the discussion;
- The actions taken to manage the conflict.

Independent external moderation will be used where conflicts cannot be resolved through the usual procedures through a Special General Meeting or AGM or, if necessary, an independent arbitration service.

Members who routinely seek, or are awarded, contracts with the Association must not be Trustees of the Association. This would apply, for example, to community artists who regularly provide workshops or other services, or contractors who regularly provide site services for the Maindee Festival.

In exceptional circumstances, it may be that it is in the best interests of the Association for an existing Trustee to be considered for the award of a “one off” contract by the Association. In such instances they must take no part in their own selection as contractor, must resign as a Trustee prior to the commencement of any negotiation of the contract and cannot be re-appointed during the period of the contract or prior to a subsequent General Meeting of the Association.

### **Managing contracts**

If you have a conflict of interest, you must not be involved in managing or monitoring a contract in which you have an interest. Monitoring arrangements for such contracts will include provisions for an independent challenge of bills and invoices, and termination of the contract if the relationship is unsatisfactory.

**FIRST ISSUE DATE: September 2008**

POLICY LAST REVIEWED: October 2010

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## **6. POLICY ON RECRUITMENT OF PEOPLE WITH A CRIMINAL RECORD**

This policy applies to Trustees, members and staff of Maindee Festival Association

### **Why do we need this policy?**

In 2008 we decided that, as the Association works closely with children, young people and vulnerable adults, we would require Trustees and any future employees of the Association to be CRB checked. These checks are administered on our behalf by the Welsh Council for Voluntary Organisations. We are grateful to WCVA for the advice they have provided to us in developing this policy.

### **How does this policy relate to other policies?**

Our Equal Opportunities Policy states that “no employee or member of the Association, festival visitor or participant in any event organised by the Association shall experience more or less favourable treatment on the grounds of ability, gender, sexual orientation, marital status, family responsibility, age, race, colour, ethnic origin, nationality, trade union membership and activity, political or religious beliefs”.

This policy on recruitment builds on our equal opportunities policy by including “an offending background” as an additional ground on which we would not discriminate against a person, unless this would create risk to children, young people or vulnerable adults.

This is to support the more effective working of our Safe Children, Young People and Vulnerable Adults Policy, which states that “Maindee Festival Association will take all reasonable steps to ensure the safety of all children, young people & vulnerable adults participating in pre-festival workshop, the street parade and all Maindee Festival events”.

## **Background**

The Recruitment of Offenders Act (ROA) 1974 was introduced to ensure that ex-offenders who have not re-offended for a period of time since the date of their conviction are not discriminated against when applying for jobs.

The Act allows that ex-offenders are no longer legally required to disclose to organisations convictions that have become 'spent'

However in order to protect certain vulnerable groups within society, there are a large number of posts and professions that are exempted from the Act and additionally include employment within positions of trust. In such cases, organisations are legally entitled to ask applicants for details of all convictions, whether unspent or spent.

## **Corporate responsibility**

Maindee Festival Association is determined to make all efforts to prevent discrimination and other unfair treatment against any of its Trustees, members, staff, potential staff or users of our service regardless of any offending background, unless this creates risk to children, young people and vulnerable adults

Maindee Festival Association will ensure that that any criminal record information given by an individual is kept confidential and according to the requirements of the Data Protection Act, and, where appropriate, CRB Code of Practice

## **Does having a criminal record prevent a person from working for the Association?**

No, having a criminal record will not necessarily bar you from working with us. This will depend on the nature of the position and the circumstances and background of your offences.

## **Maindee Festival Association's Code of Practice**

The Association's Equal Opportunities and Recruitment of ex-offenders policies are made available to all applicants at the start of the recruitment process.

Maindee Festival Association actively promotes equality of opportunity and welcomes applications from a wide range of candidates including those with criminal records.

Applicants with criminal records should be treated according to their merits and in conjunction with any special criteria for the post (e.g. caring for children and vulnerable adults, which debars some in this category).

The Association will ensure that all those within the organisation who are involved in the recruitment process have been suitably trained to identify and assess the relevance and circumstances of offences. We also ensure such staffs have received appropriate guidance and training in the relevant legislation relating to the employment of ex-offenders e.g. the Rehabilitation of Offenders Act 1974.

Unless the nature of the position entitles the Association to ask questions about an applicant's entire criminal record, then we only ask about 'unspent' convictions as defined in

the Rehabilitation of Offenders Act 1974. This information is requested at the initial application stage.

A Disclosure is only requested after a thorough risk assessment has indicated that one is both proportionate and relevant to the position concerned. For those positions where a Disclosure is required, all application forms, job adverts and recruitment briefs will contain a statement that a Disclosure will be requested in the event of an individual being conditionally offered the position.

Where a Disclosure is to form part of the recruitment process, The Association will encourage all applicants called for interview to provide details of their criminal record at an early stage in the application process and before Disclosure is undertaken. For such positions, the Association will request that this information is volunteered by the applicant and is sent under separate, confidential cover to a designated person within the Association.

The Association will guarantee that this information is strictly confidential and only seen by those who need to see it as part of the recruitment process.

At interview or in a separate discussion, the Association will ensure that an open and measured discussion takes place on the subject of any offences or other matter revealed by the applicant and/or through Disclosure, if undertaken, that might be relevant to the position. Failure to reveal information that is directly relevant to the position sought could lead to withdrawal of a conditional offer of employment.

If an applicant reveals a serious criminal record, the recruiter within the Association will consult with another appropriate Trustee. A decision to reject an applicant because of, or partly because of, a criminal record should relate to an aspect of person specification which is seen to be unmet. If possible, in these circumstances, the Association will advise the applicant why their application has been unsuccessful.

Maindee Festival Association will make every applicant for a position that is subject to a Disclosure, aware of the existence of CRB Code of Practice and make a copy available on request.

**FIRST ISSUE DATE: October 2008**

POLICY LAST REVIEWED: October 2011

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## **7. DATA PROTECTION POLICY**

### **Why do we need this policy?**

The Data Protection Act gives you the right to know what information is held about you, and sets out rules to make sure that this information is handled properly. It requires all organisations that hold information of individuals to have a data protection statement and an appropriate policy in place. Until 2009 we had no need to store any personal information on

any individual, other than a simple mailing list of members and supporters. So our data protection statement was simply “*We do not need to keep records on you – so we don’t!*”

In 2008 we decided that, as the Association works closely with children, young people and vulnerable adults, we would require Trustees and any future employees of the Association to be CRB checked. As part of the checking process, the Association will receive information about the person’s previous criminal convictions. Because of the sensitivity of this data, this policy has been developed to explain our general approach to data protection and our specific approach to data on a subject’s criminal convictions.

We are grateful to WCVA for the advice they have provided to us with the development of this policy.

### **Our public data protection statement**

- The only personal records we keep, either on paper or electronically, are a simple address list of supporters.
- These include the e:mail addresses of people who contact us by e:mail, or who give us their e:mail address so that we can keep in touch.
- From time to time, we may send you a letter or e:mails to tell you about the activities of the Association or other relevant news.
- Your contact details and e:mail address are never passed on to other organisations.
- We try to ensure that general e:mails sent out to you and others do not reveal your e:mail address to others.
- If you do not want to receive any information from us, or we are accidentally spamming you, please get in touch and we will take you off our contact list.

Maindee Festival Association complies fully with the CRB Code of Practice regarding the correct handling, use, storage, retention and disposal of Disclosures and Disclosure information. Maindee Festival Association complies fully with its obligations under the Data Protection Act and other relevant legislation pertaining to the safe handling, use, storage, retention and disposal of Disclosure information and has a written policy on these matters, which is available to those who wish to see it on request.

If you are concerned that you think we may be abusing the information we have about you, or are fed up with spam mail you get from us, you can make a complaint to the Information Commissioner at <http://www.informationcommissioner.gov.uk>

This statement and our data protection policy will be available on our website at [www.maindee.org](http://www.maindee.org)

### **Background to our policy on correct handling and safekeeping of Disclosure information.**

In 2008 we decided that, as the Association works closely with children, young people and vulnerable adults, we would require Trustees and any future employees of the Association to be CRB checked. The outcome of this check is that we will receive “disclosure information” about those person’s previous offending histories. This information will be used to consider whether the person is either suitable or unsuitable for appointment. In most cases disclosure information received can be quickly and securely destroyed. There may be cases

though when we would need to retain this information for a short period. Because of the sensitivity of this data, our data protection policy was reviewed in 2008 to ensure compliance with the CRB Code of Practice

### **CRB Code of Practice**

All organisations using the Criminal Records Bureau (CRB) Disclosure Service to help assess the suitability of applicants for positions of trust and who are recipients of Disclosure information must comply fully with the CRB Code of Practice. The Code places an obligation on such organisations to have a written policy on the correct handling and safekeeping of Disclosure information. You can download the full CRB code of Practice here: [http://www.crb.gov.uk/PDF/code\\_of\\_practice.pdf](http://www.crb.gov.uk/PDF/code_of_practice.pdf)

### **Maindee Festival Association's policy statement on the CRB Code of Practice**

Maindee Festival Association complies fully with the CRB Code of Practice regarding the correct handling, use, storage, retention and disposal of Disclosures and Disclosure information. Maindee Festival Association complies fully with its obligations under the Data Protection Act and other relevant legislation pertaining to the safe handling, use, storage, retention and disposal of Disclosure information and has a written policy on these matters, which is available to those who wish to see it on request.

### **Our Code of Practice**

**Storage and Access:** Disclosure information is never kept on an applicant's personnel file and is always kept separately and securely, in lockable, non-portable, storage containers with access strictly controlled and limited to those who are entitled to see it as part of their duties.

**Handling:** In accordance with section 124 of the Police Act 1997, Disclosure information is only passed to those who are authorised to receive it in the course of their duties.

Maindee Festival Association will maintain a record of all those to whom Disclosures or Disclosure information has been revealed and we recognise that it is a criminal offence to pass this information to anyone who is not entitled to receive it.

**Usage:** Disclosure information is only used for the specific purpose for which it was requested and for which the applicant's full consent has been given.

**Retention:** Once a recruitment (or other relevant) decision has been made, Maindee Festival Association will not keep Disclosure information for any longer than is absolutely necessary. This will never be for a period of more than six months, and only then to allow time for the consideration and resolution of any disputes or complaints.

**Disposal:** As soon as possible, Maindee Festival Association will ensure that any Disclosure information is immediately destroyed by secure means i.e. by shredding, pulping or burning.

While awaiting destruction, Disclosure information will not be kept in any insecure receptacle (e.g. waste bin or confidential waste sack).

Maindee Festival Association will not keep any photocopy or other image of the Disclosure or any copy or representation of the contents of a Disclosure.

However, notwithstanding the above, Maindee Festival Association will 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.

**FIRST ISSUE DATE: October 2008**

POLICY LAST REVIEWED: October 2011

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## **8. RESERVES POLICY**

### **What are reserves?**

At the simplest level, our reserves are unrestricted money we hold that is not already designated for a specific purpose.

Some of our income (for example grants given to MFA for specific purposes), is called “restricted” income. This means that the way we spend that income is restricted to the purpose for which it was given to us.

Other income we receive is “unrestricted” and can be spent on whatever Trustees decide, as long as this meets one or more of our charitable objects as described in our constitution.

Our reserves are the amount of money we are holding at any time that is not restricted or has not been “designated” for a future purpose (ie saving to buy a big item)

### **Why do we need a policy on this?**

- To guide Trustees on the appropriate level of reserves to be held.
- To assure the public, members and funders that we are not holding onto excessive funds that should instead be being spent on our charitable objects.
- To comply with requirements of external or regulatory bodies that may require us to have such a policy in place.

### **Current policy**

The Association will, where financially possible, maintain reserves at an appropriate level to protect the Association from cash-flow problems or to provide some protection of planned expenditure if income targets are not met.

The Association will annually set the target for maximum and minimum levels for reserves at our Annual General Meeting. The Treasurer will be responsible for proposing levels, based on the income and expenditure levels of the Association at that time and other relevant factors. The current target reserve levels are £1500 (min) and £5000 (max).

Any designated funds will only be used for legitimate purposes and not to artificially reduce reserve levels. The Association does not currently hold any designated funds.

During certain periods (ie first quarter) when our monthly income increases in advance of major expenditure (ie Maindee Festival) the Association will allow the target maximum

reserve level to be breached for a period of not more than 3 months without the need for further action.

FIRST ISSUE DATE: February 2012

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## 9. Trading Policy (on terms and conditions for trading)

The following terms and conditions will apply to any persons trading at Maindee Festival or other public events organised by the Association:

**Pitch location:** We want you to have a good trading day and so we try to make sure that you have a good location on site for the type of goods you are selling. On arrival you will be shown to your pitch. By prior arrangement only, large traders can contact us to visit the site in advance. If space is tight, we give preference to traders who book early.

**Litter bonds.** Food traders must pay an additional £50 litter bond which will be returned at the end of the trading period if: only bio-degradable containers, wrappers, plates, cups and wooden cutlery are used; the area to 5 metres in front of your pitch is routinely cleared of litter during the event and none of your own trader waste is left unmanaged on the site after the event.

**Traders must only sell goods specified in their application.** Stalls are priced on the basis of the products that the trader states they are going to sell.

**Traders must have finished their set up and be ready to trade by 11.30am** Traders can enter the site from 9.00am.

**Sound systems in stalls** are not permitted

**Bottled gas.** All gas equipment in catering units must have current safety certification. Safety precautions regarding storage of bottled gas must be followed.

**Electricity is not provided.** All electrical equipment you bring onto on site must have been tested and have a current safety certificate. Silenced diesel generators are permitted.

**Waste water must be put into containers and taken away or disposed of in drains** and not poured on the ground. The digging of sumps is prohibited. The Environmental Health Officer will check to see how traders dispose of waste water/liquid.

**Traders must comply with the Health, Safety and Hygiene requirements** of Newport City Council. Traders are not permitted to start trading until they have been given the go ahead by the Traders Manager. Environmental Health and Trading Standards Officers will be on site – You are warned – all counterfeit / illegal goods will be seized.

**Items not permitted on stalls:** Helium, Black Henna, Glass (except small glass ornaments and glass jewellery etc), body piercing equipment, lasers, fireworks and weapons or potential weapons are not permitted on site and will be confiscated.

**All vehicles are brought on site at their owners' risk, and must be suitably insured.**

The Festival cannot accept any responsibility for any loss or damage that may occur during the festival or set up and take down period.

**All tea, coffee and drinking chocolate sold at the Festival must be Fairtrade.**

**Employers' Liability and Public Liability Insurance** must be on display in stalls at all times. Likewise traders are responsible for ensuring contractors delivering to, or working on their stall, are suitably insured.

**No rebates will be given** to traders as a result of adverse weather conditions, nor as a result of changes in performance programmes within the Festival. The Festival will not accept responsibility for the level of trading during the event.

**Traders are required to comply with the terms of the premises licence.** A copy of the Festival licence will be held at the Main Festival Office. If a trader is closed down and / or evicted from site for contravening the licence, any of these terms and conditions or prescribed environment health standards, they shall not be entitled to any rebate.

**FIRST ISSUE DATE: October 2009**

POLICY LAST REVIEWED: January 2013