

The Kingsclere Charities Code of Conduct Policy

Statement of intent

The Kingsclere Charities is an umbrella organization supporting the management for the following:

- Kingsclere welfare charities
- Kingsclere almshouse charities
- The Robert Higham apprenticing charity
- The educational foundation of Robert Higham

This policy is applicable to all the above charities.

This code is applicable to Employees and Trustees, unless where otherwise stated.

The Kingsclere Charities safeguards and promotes its reputation by ensuring that Trustees and employees behave and conduct themselves in such a way that promotes public confidence.

Trustees and employees are expected to act with honesty, trustworthiness, diligence, competence and care, and support the Charity's values, when carrying out their duties.

Policy

Kingsclere Charities recognize the important responsibility Trustees undertake in serving as a member of the Board of Trustees. Trustees need to carry out the duties and obligations associated with their role in a trustworthy and diligent manner and abide by this Code of Conduct. Failure to abide by this Code of Conduct may result sanctions up to removal as a Trustee.

Kingsclere Charities expect employees to behave responsibly and appropriately at work. Employees need to carry out their duties and obligations associated with their role in a trustworthy and diligent manner and abide by this Code of Conduct. Failure to abide by this Code of Conduct may result in disciplinary action.

Policy In Action

Managing Conflicts of Interest

No Trustee shall derive any personal profit or gain, directly or indirectly, by reason of their service as a Trustee of the Kingsclere Charities. Trustees shall conduct their personal affairs in such a manner as to avoid any possible conflict of interest with their duties and responsibilities as a Trustee. Other than through normal and agreed remuneration, this section also applies to the Charity's employees.

Employees of the Charity are not specifically barred from making applications for benefit. However, they will be expected to make a declaration of interest on the application form, and not to take part in any of the decision-making process connected with application. The fact that the applicant is an employee of the charity should not be an influencing factor in making any decision. The scale of any benefits agreed by the Trustees should not be disproportionate to those that would normally be considered for any other applicant.

Action where a possible conflict of interest does arise.

- Any possible conflict between the best interests of Kingsclere Charities and the Trustee's or Employee's personal interests, must be disclosed as appropriate.
- Any Trustee having a conflict of interest shall not vote or use their personal influence to address the matter, and they shall not be counted in determining the quorum for the meeting.
- All conflicts disclosed to the Trustees will be made a matter of record in the minutes of the meeting in which the disclosure was made, which shall also note that the Trustee with a conflict abstained from the vote, did not contribute to any discussion, and was not included in the count for the quorum for that meeting.
- This policy shall also apply to any Trustee's or employee's immediate family or any person acting on their behalf.

Declaration of conflict of interest will be a standing agenda item at all Charity meetings.

Positive Participation

Trustees and employees are expected to exercise their duties and the responsibilities of their positions with integrity, collegiality, and care. This includes:

- Making attendance at all meetings of the board a high priority.

- Being prepared to discuss the issues and business on the agenda and having read all background material relevant to the topics at hand.
- Cooperating with, and respecting the opinions, of others.
- Leaving personal prejudices out of all Trustee's discussions, as well as supporting agreed actions of the Board of Trustees, even when the Trustee or employee personally did not necessarily agree with the action agreed.
- Putting the interests of the Charity above personal interests.
- Always representing the Charity in a positive and supportive manner.
- Showing respect and courteous conduct in dealings with Trustees, employees, and clients.
- Observing established lines of communication and directing requests for information or assistance to the appropriate person.

Finance

Trustees and employees must take steps to make ensure that:

- The Charity's money is safe, properly used, and accounted for.
- The Charity's money is only spent on what is allowed by the Charity's governing document and policies.

Trustees and employees must use effective internal financial controls to ensure that money coming into the charity is:

- Secure and recorded.
- Only spent on charitable purposes.
- Protected from risk of theft, fraud or cybercrime.

See also Kingsclere Charity's Finance Policy.

Bullying, harassment & Unlawful Discrimination

Trustees and employees have a duty to:

- Encouraging equality, diversity, and inclusion among Trustees, employees, clients, and contractors and in the workplace.
- Operate in a way that is free of bullying, harassment, victimization, and unlawful discrimination.
- Recognize and value Trustees, employees and client's differences and contributions.
- Encouraging equality, diversity and inclusion.
- Respect Trustees and employees and enable them to give their best.
- Eliminate unlawful discrimination.
- Promote dignity and respect for all.
- Accept that behavior constituting bullying, harassment, victimization, or unlawful discrimination is a serious violation of the Charity's policy and may subject the named person(s) to appropriate disciplinary action including verbal warning, written warning, final written warning, or dismissal.

See also Kingsclere Charity's Equality, Inclusion, and Diversity Policy

Confidentiality

Trustees and employees have a duty to:

- Respect the privacy of clients and to maintain their personal and financial information as confidential.
- Maintaining the confidentiality of information relating to employees and Trustees
- Ensure that they do not disclose or discuss personal and financial information that is confidential with anyone outside of the charity without permission or authorization from the Trustees.
- Ensure that they understand that confidential sensitive and privileged information must be kept confidentially, both during and after appointment or employment.
- Accept that unauthorized disclosure of confidential or privileged information is a serious violation of the Charity's policy and may subject the person(s) who made or allowed the unauthorized disclosure to appropriate disciplinary action including verbal warning, written warning, final written warning, or dismissal.

See Kingsclere Charity's Confidentiality Policy.

Data Protection

Trustees and employees have a duty to ensure, as far as reasonably practicable that all personal data is:

- Processed lawfully, fairly and in a transparent manner.
- Collected for specified, explicit and legitimate purposes and not further

- processed in a manner that is incompatible with those purposes.
- Adequate, relevant, and limited to that which is necessary.
- Accurate and kept up to date.
- Kept in a form that permits identification of data subjects for no longer than necessary.
- Processed in a manner that ensures appropriate security of the personal data, including protection against unauthorized or unlawful processing and against accidental loss, destruction or damage.
- Accept that knowingly or negligently breaching the Charity's data protection measures is a serious violation of the Charity's policy and may subject the named person(s) to appropriate disciplinary action including verbal warning, written warning, final written warning, or dismissal.

See also Kingsclere Charity's Data Protection Policy

Health, Safety and Welfare

Trustees and employees have a duty to ensure, as far as reasonably practicable, that they:

- Are committed to protecting Trustees, employees, clients, contractors, visitors and others who may have contact or business with the charity, from risks to their health and safety arising out of, or in connection with the charity's activities.
- Are committed to complying with the provisions of The Health and Safety at Work etc. Act 1974 (HSW Act), as applicable to the business and activities of the charity.

See also Kingsclere Charity's Health and Safety Policy

Whistleblowing

This Whistleblowing policy is provided to help Trustees and employees raise any serious concerns they may have about colleagues or their employer with confidence and without having to worry about being victimised, discriminated against or disadvantaged in any way as a result. It is written in the context of the Public Interest Disclosure Act 1998 which protects employees who 'blow the whistle' on malpractices within their organisation.

Types of concerns

Serious or sensitive concerns about wrongdoings such as the following:

- Criminal offence
- Failure to comply with any legal obligation
- Failure in the protection of children or vulnerable adults
- Miscarriage of justice
- Health and safety risk to an individual
- Damage to the environment
- Concealment of the above.

Raising concerns

It is not necessary for individuals who raise the concern to prove the wrongdoing that is alleged to have occurred or is likely to occur.

However, if an individual knowingly or maliciously makes an untrue allegation (eg: in order to cause disruption), The Board of Trustees will take appropriate disciplinary action against them. It may constitute gross misconduct.

Trustees and employees will not be protected from the consequences of making a disclosure if, by doing so, they commit a criminal offence.

This policy does not deal with any complaints employees may have about their employment. This should be dealt with through Charity's Grievance Procedure.

The Trustee designated to handle whistleblowing concerns is The Chair of the Trustees of the constituent charity, unless they are the subject of the complaint, in which case it will be the chair of one of the other constituent charities. The Trustee designated to handle whistleblowing concerns will be known as the Whistleblowing Officer.

Individuals should report their concern to the Whistleblowing Officer. who is expected to respond to the complainant

Individuals are encouraged to raise their concerns in writing where possible, setting out the background and history of their concerns (giving names, dates and places where possible) and indicating the reasons for their concerns.

Complainants may wish to seek the assistance from an a suitable advisor before raising the concern. The suitable advisor may, where the complainant so desires, raise the concern on behalf of the complainant.

Complainants may also invite a suitable advisor to be present during any meetings or interviews about the concerns they have raised.

Disclosures made to a legal advisor in the course of obtaining legal advice will be protected under the Public Interest Disclosure Act.

If the complainant reasonably believes that the matter relates wholly or mainly to the conduct of a person or body other than The Kingsclere Charities or any other matter for which a person or body other than The Kingsclere Charities has legal responsibility, the disclosure should be made to that other person or body.

If an individual raises a concern which they believe to be true, The Charity will take appropriate action to protect the individual from any harassment, victimization or bullying. Individuals who raise a genuine concern under this policy will not be at risk of losing their job or position, nor will it influence any unrelated disciplinary action or redundancy procedures.

The matter will be treated confidentially if the individual requests it and their name or position will not be revealed without their permission unless The Charity has to do so by law.

If in other circumstances the concern cannot be resolved without revealing the individual's identity, the Whistleblowing Officer will discuss with the individual whether and how to proceed.

Dealing with the concerns

How the concern will be dealt with, will depend on what it involves. It is likely that further enquiries and/or investigation will be necessary. The concern may be investigated by The Charity Whistleblowing Officer, the Trustees, through the disciplinary process or it may be referred to the police, other agencies such as Social Services, an external auditor or an independent investigator.

It may be necessary for the individual to give evidence in criminal or disciplinary proceedings.

The Charity Whistle Blowing Officer will give the individual feedback on the progress and outcome of any investigation wherever possible.

If the suspicions are not confirmed by an investigation, the matter will be closed. Staff will not be treated or regarded any differently for raising the concern, and their confidentiality will continue to be protected.

Grievance Procedure

Dealing with grievances informally

If you have a grievance or complaint to do with your work or the people you work with you should, wherever possible, start by talking it over with the Chair of the Board of

Trustees of the relevant charity. You may be able to agree a solution informally between you. Where your grievance is against Chair of the Board of Trustees of the relevant charity, and you feel unable to approach them, you should take it to Chair of the Board of Trustees of one of the other constituent charities.

Formal grievance

If the matter is serious and/or you wish to raise the matter formally you should set out the grievance in writing to Chair of the Board of Trustees of the relevant charity. You should stick to the facts and avoid language that is insulting or abusive.

Where your grievance is against Chair of the Board of Trustees and you feel unable to approach them you should take it to Chair of the Board of Trustees of one of the other constituent charities.

Grievance hearing

You will be called to a meeting, normally within five days, to discuss your grievance. You have the right to be accompanied by a colleague or trade union representative at this meeting if you make a reasonable request.

After the meeting you will be given a decision in writing, normally within 24 hours. If it is necessary to gather further information, before making a decision, you will be informed you of this, and the likely timescale involved.

Appeal

If you are unhappy with the decision, and you wish to appeal, you should let the Chair of the Board of Trustees, of the relevant charity know.

You will be invited to an appeal meeting, normally within five days, and your appeal will be heard by Chair of the Board of Trustees of one of the other constituent charities. You have the right to be accompanied by a colleague or trade union representative at this meeting if you make a reasonable request.

After the meeting you will be given a decision, normally within 24 hours. The decision of the person hearing the appeal is final

Code of Conduct

Breeches of this policy will be taken seriously. Options for resolution include:

- Appearance before the board of Trustees to explain their actions.

- An acceptable apology and an undertaking that the contravention will not be repeated.
- Disciplinary action including verbal warning, written warning, final written warning, and dismissal.

Any directly involved person has the right to appeal against a decision made. The board of Trustees will appoint an independent person or organization to hear any appeals. The decision of the person hearing the appeal will be final.

Any directly involved person has the right to be represented in any hearing.

All parties retain the right to refer the case to a higher authority such as a relevant regulatory body.

How to make a complaint

- Complaints against anyone in relation to this policy should be made confidentially, either in person, or in writing to the Clerk to the Kingsclere Charities. In the event of the Clerk being directly implicated in the complaint, the complaint should be taken to the one the Chairs of the constituent charities.
- All parties retain the right to refer the case to a higher authority such as a relevant regulatory body.

Review

This policy will be reviewed annually on the anniversary of its adoption.

Signed: P Crisford
Print Name: Philip Crisford
Date: 10.10.2022
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