

Code of Good Practice for Community Land Trusts

Preamble

1. The purpose of this Code is to enhance the work and credibility of CLTs.
2. The Code has been drafted in the expectation that it will be updated in a year's time.
3. One of the underlying drivers of Ambos is that local people have an ethos of public service and the skills to create solutions to local problems. CLTs are fundamentally agents of local communities and are not directly accountable to other outside organisations. The Code does not therefore follow the route of compliance required by government of organisations receiving significant sums of central government money. Instead, it sets out the main standards that people in a CLT's community and others might expect. It is then for Ambos to govern themselves and to introduce other techniques, such as external assessment and audit, if they so wish. As the sponsor of this Code, the National CLT Network will intervene as a last resort where we, Ambos as CLT were infringing the Code. It could also decide to publish the fact that a CLT was not meeting the relevant standard of good practice in the Code.

Code of Good Practice for Community Land Trusts

1. The Community Land Trust is clear about the purpose of its work.

The CLT has a definition of the community it aims to serve(1) and publicises it widely.

The CLT is clear that it provides its land, buildings, money, and other resources for the benefit of its community. It is also clear that it provides these benefits in perpetuity. The CLT publicises these objectives widely.

The CLT builds and holds its asset base, to enhance a sense of solidarity within its community, and to undertake further projects in future if it so wishes.

The CLT works in the interest of everyone in its community, irrespective of the backgrounds of individuals and whether or not they are members of the CLT(2).

As well as promoting specific projects involving asset ownership, the CLT aims more generally to maximise the skills, social linkages and economic capacity of people in its community.

The CLT ensures that any profits are reinvested to finance further work that meets its objects.

2. The community and membership of the CLT

The CLT encourages all members of its community to become members of the CLT and to play an active part in its work.

The CLT reviews its membership once a year and regularly encourages people in the community to become members.

The CLT publishes an annual report and distributes it to people in its community.

The CLT welcomes suggestions for action from people in the community throughout the year and provides feedback.

Once it owns property, the CLT holds a meeting every year and invites all individuals or households in the community to that meeting. The CLT encourages people at the meeting to highlight emerging local needs and to suggest solutions to these needs that the CLT might pursue. The CLT also takes account of the views of people unable to attend the meeting. Notes of such meetings are publicised.

1 Some communities may be defined geographically, and others may be defined as communities of interest.

2 Subject to the facts that it will not always be possible to reconcile differing views in the community, or to work with those whose interests do not align with the ethos or objectives of the CLT.

3. The work of the CLT

The CLT assesses the needs of its community⁽³⁾ and develops proposals for projects that provide solutions to these needs.

The CLT is open to providing land and buildings for a wide spectrum of uses and services in its community⁽⁴⁾

The CLT pursues projects that have widespread support in the community⁵.

The CLT achieves a balance between standards and costs. It undertakes projects to good standards of design and specification while ensuring its projects are completed at reasonable cost and represent good value for money.

The CLT ensures that access for members of the community to its projects is fair and that any selection processes are open and transparent.

The CLT operates an active policy on equality of opportunity and diversity, and another on environmental sustainability.

The CLT works collaboratively with other CLTs.

4. Money and resources

The CLT seeks to engage a wide spectrum of people in its communities to provide funds for its schemes, and other resources such as professional skills, labour, land and buildings.

The CLT raises loans and grants on terms that enable it to give priority to meeting the interests of its local community⁽⁶⁾.

The CLT has a robust asset lock in its governing document and its profits are not distributed as dividends or other payments to its shareholders⁽⁷⁾.

The CLT produces annual accounts and makes them widely available.

3 Where possible, the CLT collects detailed evidence on the needs it aims to meet.

4 In many cases, it will only be practicable for CLT s to promote projects that meet one or two needs at a time, but it is important that CLTs remain open to meeting a variety of needs in their projects over the years. 5 Evidence of widespread support may follow community surveys or the production of a local or parish plan. 6 For example, the terms of funding for housing schemes should enable the CLT to give first priority in allocating homes to those in its community, ahead of nominees of housing authorities.

7 CLTs may however pay money to shareholders in return for benefits CLTs receive, such as interest on money lent to CLTs by shareholders or rents on land leased to CLTs by shareholders.

5. Management committee

If members of the CLT decide to set up a management committee, its committee members work for public rather than personal benefit.

The CLT seeks to ensure that members of its committee are drawn from a wide cross section of its community and that no individual or group unduly influences the committee.

Management committee meetings are normally open to the public.

6. Reputation, behaviour, and probity

The CLT seeks to enhance the reputation of all CLTs and does nothing to harm it.

The CLT accounts for its activities in an open manner and provides members of the local community with reasonable access to information.

The CLT avoids any suggestion of impropriety(8). Its committee members act solely in a voluntary capacity in the best interest of the CLT and receive no payment except the reimbursement of reasonable expenses in line with their rules and recognised good practice in the CLT sector.

The CLT maintains a register of members' interests. Where there is an actual or possible conflict of interest, the CLT decides whether this makes committee membership untenable for the individual concerned, whether the individual shall have no involvement in the matter or whether the matter can be managed by ensuring that his/her interests are declared and registered.

The CLT is aware that a conflict of interest arises if a committee member, his/her family members or close associates are connected with any organisation or person that can gain financially from a contract awarded by the CLT. The same applies to services and benefits in kind provided by the CLT(9) . The CLT's committee members only receive benefits in kind from the CLT's work that are available to all members of the community(10) .

The CLT has a robust system for dealing with complaints that is publicly available. Approved by the CLT Network Board 31 May 2011

8 The CLT is aware that matters such as conflicts of interest and the acceptance of gifts and hospitality are particularly sensitive

9 An example of such benefit in kind is preferential allocation for committee members, their families and associates to sub-market housing provided by the CLT.

10 Examples of such benefits are the services offered by a community shop or a sports field.

Conflict Of Interest Policy

Introduction

The use of transparent mechanisms to manage conflicts of interest, thereby ensuring probity in Board members' actions and decisions, is vital in order to protect both the Ambos and individuals.

Board members (along with staff and volunteers) have a legal obligation to act in the best interests of the Ambos, and in accordance with the Constitution and Code of Conduct. They must not, excepting reimbursement of out-of-pocket expenses, receive any benefit from HfW in return for a service provided, unless such benefit is expressly authorised by Ambos governing document.

Conflicts of interest may arise where an individual's personal or family interests and/or loyalties conflict with those of Ambos; such conflicts can inhibit free discussion, result in decisions that are not in Ambos best interests and/or risk the impression that Ambos has acted improperly. In terms of reputation, the latter risk may be the most serious. A conflict of interest which is not managed properly, and which leads to a financial benefit to the Board member, may lead to allegations of breach of trust and criminal proceedings.

Potential Conflicts of Interest

These can arise in many ways and include;

Direct financial gain or benefit to a Board member

- Payment to a Board member for services provided to the charity
- Payment for acting as a Board member
- Board members acting as (paid) Directors of subsidiary trading companies
- Sale of land or property to a Board member
- Use of a Trustee's property by the charity

Indirect financial gain or benefit to a Trustee

This arises most commonly when a close relative of the Board member is employed by the charity (where the Board member could be seen to benefit indirectly from remuneration to that employee).

Policy Statement

Ambos Articles of Association clearly state in paragraphs 5.12

Any Board member, co-optee or member of a committee, having an interest in any arrangement between the Association and someone else shall disclose their interest before the matter is discussed by the Board or any committee. Unless it is expressly permitted by these rules, they shall not have any vote on the matter in question. Any decision of the Board or of a committee shall not be valid because of the subsequent discovery of an interest which should have been declared.

Trustees must recognise the importance of ensuring probity, both financial and moral, in all aspects of Ambos work. This must include ensuring that Board members do not use any involvement they may have in other organisations to influence, whether positively or negatively, any decisions they make about Ambos. It is the Board members' paramount duty to always act in the best interests of Ambos.

Ambos will declare, on an annual basis, any organisations of which they are a member, or in which they hold a position of general control, management, or influence. This declaration will be required immediately following the Annual General Meeting, and the results will be collated into a Register of Interests which will be available for inspection at all Ambos meetings. The Chair will remind Ambos about their obligations in respect of potential conflicts of interest at the start of each Ambos meeting.

It is the responsibility of individual Board members to make a judgement about whether a connection elsewhere creates a conflict of interest with any given issue on a Ambos agenda, and to openly declare the potential conflict of interest if required. This should be done by making the Chair aware of any such issues prior to the start of Ambos meetings, and by publicly declaring the possible conflict of interest at the start of the relevant item. It will be up to the Chair to decide whether the Board member should leave the meeting for the duration of the relevant item, or whether he or she should be asked not to take part in any decision on the item.

It is unlikely that passive membership of a cognate organisation would lead to a conflict of interest. Board members recognise that they are likely to have interests beyond Ambos, and these should not present any issue so long as Board members respect and adhere to their duty to act in the best interests of Ambos whilst representing the organisation.



AMBOS COMMUNITY TRUST FALMOUTH LTD - FCA Registration no. 8695
Bickland Water House, Bickland Water Road, Falmouth, Cornwall, United Kingdom, TR11 4SB

This policy will be reviewed every three years.

Adopted On _____

Signed By Chair _____

Environmental and Sustainability Policy

Policy statement

Ambos will actively strive to reduce its carbon footprint and improve the local environment for the long-term benefit of the communities it serves. Climate change, fuel poverty, public health, flood resilience and environmental stewardship are the main drivers behind this commitment.

Strategic Aims and Objectives

Reducing our carbon footprint:

We aim to reduce the amount of energy – including embodied energy – used by the homes and co workspaces we develop, the buildings we manage and the activities we undertake.

Using resources widely:

Through careful procurement and robust recycling, we aim to consume fewer resources and produce less waste and/or pollution.

Encouraging positive behaviour:

We aim to encourage, educate, and enable the people we house and the communities with whom we work to use less energy, reduce their fuel bills, consume fewer resources, and produce less waste. We will support them in doing this and encourage positive behaviour change and where possible provide the infrastructure in which to do so; such as green spaces, Garden space for food, recycle and reuse facilities, harvesting energy and encouraging active travel.

Commitments and principles

- To use Bioregional's 10 Principles of One Planet Living as a framework for delivering on our sustainability commitments.
- To work with local contractors and suppliers where possible to reduce the carbon footprint and waste streams of our supply chain.
- To encourage and support the people we house and the communities we serve in reducing their carbon footprint and waste streams.
- To tackle fuel poverty by reducing the energy requirements of our housing and activities.

To build homes that are:

- Healthy, light, and uplifting to live in.
- Adaptable as residents' needs change,
- Exemplar projects that can be used as demonstration sites for other CLTs, developers and homebuilders.
- Resilient to flooding and that help mitigate the risk of flooding elsewhere.
- To use materials that are natural, renewable and, if practical, locally sourced.
- To produce a Sustainability Action Plan for each scheme we build reviewing it regularly and setting challenging targets.
- To identify environmental champions from among our trustees, tenants, and wider membership.

Value for money

Ambos aims to devote sufficient resources – both human and financial – towards tackling sustainability issues. However, it is currently a relatively small organisation, operating under tight financial constraints. A value-for-money exercise and cost/benefit analysis should be carried out wherever potential expenditure falls outside budgeted guidelines. If action has to be denied or postponed due to insufficient funds, it should be recorded and reported to the Board of Trustees.

Equality and Diversity

Ambos is committed to the principles of equality and diversity, practising equal opportunities for all. The sustainability policy should be applied consistently and fairly across the trust's operations.

Responsibility

The Board of Trustees is responsible for ensuring Ambos delivers on the commitments and principles contained in this policy.

A Sustainability Review Group will meet whenever necessary, but at yearly. The Group should be drawn from the wider membership as well as from the trustees. Specific tasks should be allocated to members of the group through an Action Plan, with overall responsibility for delivery lying with the Board of Trustees. The Action Plan and Achievements should be reported to members annually.

Members are actively encouraged to support the Board of Trustees in delivering the strategic aims and objectives contained in this policy.

Relevant guidance/legislation and supporting information

This policy has been informed by the following legislation and guidance.

- Cornwall Emergency Development Plan Document
<https://www.cornwall.gov.uk/media/ltkmdla/sd01-2-reg-19-cedpd-showing-minor-main-modifications-16-08-22.pdf>
- UK Building Regulations Conservation of Fuel and Power 2022
https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1099626/ADL1.pdf
- Climate Change Act 2008
- EK Energy Performance of Buildings Directive 2012
- Building Regulations 2016: Approved Documents L1B and L2B
- HCA Legislations and Regulation for Social Housing (England) March 2022
- Bioregional's 10 Principles for One Planet Living
<http://www.bioregional.co.uk/oneplanetliving/>

Consultation on the policy

This policy has been produced following consultation with the trust's members at a workshop following the 2022 AGM.

Appendix

BioRegional's 10 principles of one planet living.
©BioRegional Development Group

Bioregional's Ten Principles for One Planet Living



	Health and happiness
	Equity and local economy
	Culture and community
	Land use and wildlife
	Sustainable water
	Local and sustainable food
	Sustainable materials
	Sustainable transport
	Zero waste
	Zero carbon

Health and happiness: Encouraging active, sociable, meaningful lives to promote good health and well being
Equity and local economy: Creating bioregional economies that support equity and diverse local employment and international fair trade

Culture and community: Respecting and reviving local identity, wisdom and culture; encouraging the involvement of people in shaping their community and creating a new culture of sustainability

Land use and wildlife: Protecting and restoring biodiversity and creating new natural habitats through good land use and integration into the built environment

Sustainable water: Using water efficiently in buildings, farming and manufacturing. Designing to avoid local issues such as flooding, drought and water course pollution

Local and sustainable food: Supporting sustainable and humane farming, promoting access to healthy, low impact, local, seasonal and organic diets and reducing food waste

Sustainable materials: Using sustainable and healthy products, such as those with low embodied energy, sourced locally, made from renewable or waste resources

Sustainable transport: Reducing the need to travel, and encouraging low and zero carbon modes of transport to reduce emissions

Zero waste: Reducing waste, reusing where possible, and ultimately sending zero waste to landfill

Zero carbon: Making buildings energy efficient and delivering all energy with renewable technologies

Ambos Financial Controls Policy (DRAFT)

1. INTRODUCTION

Ambos will ensure that financial records are kept so that the trust can;

- a) meet its legal and other obligations, e.g. Charities Act 1992, HM Revenue & Customs, HCA Framework of Regulation and common law;
- b) be in proper financial control.
- c) meet its contractual obligations and the requirements of funders.

2. RECORDS OF ACCOUNTS

Ambos will maintain proper books of accounts which will include:

- a) Purchase and Sales Ledgers and other ledgers analysing all the transactions in Ambos bank accounts.
- b) A petty cash book if cash payments are being made.
- c) Inland Revenue deduction records at such time as staff are employed and Schedule D numbers for freelance workers.
- d) Management accounts on a quarterly basis.

3. FINANCIAL RECORDS

- a) The Financial Year will end on 31st March each year
- b) Accounts will be drawn up after each financial year, within the statutory period prescribed by Companies House, and presented to the next Annual General Meeting;
- c) Within two months of the end of the preceding financial year the trustees will approve a budget of income and expenditure for the following financial year.
- d) A report comparing actual income and expenditure with the budget will be presented to the trustees quarterly.
- e) The AGM will appoint an appropriately qualified auditor/examiner to audit/examine the accounts prior to presentation to the next AGM.

4. BANKING

- a) Bank accounts will be held in the name of Ambos. The following accounts will be maintained:
 - Current Account

- Savings Account
 - Client Accounts as required
- b) There will be four signatories approved by trustees. The bank mandate (list of bank signatories) will always be approved and minuted by the trustees, as will all changes to it.
- c) Ambos will require bank statements every month.
- d) These will be reconciled with the ledgers at least every three months and the Finance Director will spot check that this reconciliation has been done at least twice a year, signing accordingly.
- e) Transfers between accounts to be reported at the next meeting of trustees.
- f) Ambos will not use any other bank or financial institution or use the overdraft facilities of loan without the agreement of the trustees.

5. RECEIPTS

All monies received will be recorded promptly in the ledgers and banked without delay. This will include sundry receipts such as payments for photocopying, printing, mileage etc. which will be backed up by filed documentation accordingly.

6. PAYMENTS

The aim is to ensure that all expenditure is related to the business of Ambos and properly authorised.

- a) A nominated director will be responsible for holding the cheque book (unused and partly used cheque books), Bank Cards, Credit Cards and these will be kept securely.
- b) Blank cheques will never be signed.
- c) The relevant payee's name will always be inserted on the cheque prior to signature and the cheque stub will always be properly completed.
- d) All cheques, BACS, Card payments, will be supported with appropriate documentation. (See 7 below)

7. PAYMENT DOCUMENTATION

- a) Every payment out of Ambos's accounts will be evidenced by an invoice as appropriate. That invoice will be retained and filed. The cheque/bank signatory should ensure that it is referenced with:
- Cheque number/Transaction Type (ie BACS, Debit, Credit Card)
 - Date cheque drawn, or payment made
 - Amount of transaction or cheque
 - Names of signatories

- b) The only exceptions to payments not being supported by an appropriate invoice would be for such items as advanced bookings, deposits, VAT etc. Here a payment requisition will be used and relevant documentation will be filed and kept.
- c) Wages and Salaries. There will be a clear trail to show the authority and reason for every such payment, e.g. a payment requisition asking for payment to employee, HMRC etc. All employees will be paid within the PAYE, National Insurance regulations.
- d) All staff appointments/departures will be authorised by the trustees, minuting dates and salary level. Similarly, all changes in hours and variable payments such as overtime, etc. will be authorised by the trustees.
- e) Expenditure and Expenses
- i) Trustees and other authorised persons may incur expenses that are incurred in the legitimate pursuit of Ambos business.
- ii) Permission to commit expenditure must be sought prior to its commitment as per the guidelines below.
- a) Expenditure of less than £100 needs the prior approval of one of the following: the Secretary, Treasurer, Chairman or Vice Chairman. In exceptional circumstances the decision of the Chairman/Deputy Chairman and Secretary would be acceptable.
- b) Expenditure over £100 needs prior approval by any two of the Secretary, Treasurer, Chairman or Vice Chairman.
- c) Payments over £2,500 need the prior approval of three of the following: the Secretary, the Finance Director, and Chairman or Vice Chairman. Such approval sent by e-mail will be acceptable.
- iii) In respect of
- ii) above, an exception is provided for in the case of Emergency Repairs whereby the managing agent be allowed a limit of £200 to spend on breakdowns or repairs which in their judgement qualify as genuine emergencies
- iv) Expenses will be reimbursable upon production of valid receipts together with a written justification of the expense. Expenses will be evidenced as follows:
- Printing, Admin costs with receipts or invoices
 - Other expenses by valid receipts
 - Car mileage based on local authority scales
- v) No signatories can sign for the payment of expenses to themselves.

8. CHEQUE SIGNATURES, PAYMENTS AND CASH

- a) Each cheque/payment requires two signatures
- b) A cheque must not be signed by the person to whom it is payable.
- c) Bank/credit/debit cards will not be used (and should be destroyed if issued to a person that is no longer a signatory).

9. OTHER UNDERTAKINGS

- a) AMBOS does not accept liability for any financial commitment unless properly authorised.
- b) Any orders placed, or undertakings given, the financial consequences of which are likely to exceed in total £5,000, must have been or be authorised and minuted by the trustees.
- c) Final acceptance of estimates and tenders will need to be approved by the trustees and minuted.
- d) All fundraising and grant applications undertaken on behalf of Ambos will be done in the name of the Trust with the prior approval of the trustees or, in time constrained situations, the approval of the Chairman/Vice Chairman who will provide full details at the next trustees' meeting.

10. OTHER RULES

- a) When relevant Ambos will set up and maintain an asset register stating the date of purchase, cost, serial numbers, and normal location. This is to include computer equipment, software and data.
- b) The Trust will maintain a property record of items of significant value, with an appropriate record of their use.

11. AREAS OF RESPONSIBILITY

- a) Day to day cash and cheque transactions, ledger entries will be dealt with by the Secretary or Administrator, liaising as appropriate with the Finance Director.
- b) HMRC, HCA (re finance), VAT returns etc. will be the responsibility of the Finance Director.

Adopted By _____

Date Adopted _____

To Be Reviewed On _____

Trustee Code of Conduct

This Code of Conduct should be read in conjunction with the Memorandum and Articles of Ambos Community Trust (Fal)

Directors and Trustees of Ambos are one and the same: they are 'directors' by virtue of the organisation being a company and 'trustees' as a result of the company's charitable objects. For the purposes of this document the term 'trustee' will be used.

1. Organisational values

As a trustee of Ambos (hereinafter referred to as the Trust) I undertake to abide by the fundamental values that underpin all the activity of this organisation. These are:

- Accountability, Everything the Trust does will be able to stand the test of scrutiny by the public, the media, regulators, members, stakeholders, funders, Parliament, and the courts.
- Integrity and honesty These will be the hallmarks of all conduct when dealing with colleagues within the Trust and equally when dealing with individuals and institutions outside it.
- Transparency The Trust strives to maintain an atmosphere of openness throughout the organisation to promote confidence of the public, stakeholders, staff, regulators and Parliament.

Additionally, I agree to the following points:

2. Law, mission, policies

- I will not break the law or go against regulations in any aspect of my role of trustee.
- I will support the mission and consider myself its guardian.
- I will abide by organisational policies.

3. Conflicts of interest

- I will always strive to act in the best interests of the Trust.
- I will comply with the Trust Conflicts of Interest Policy
- I will declare any conflict of interest, or any circumstance that might be viewed by others as a conflict of interest, as soon as it arises.
- I will submit to the judgment of the Trust Board and do as it requires regarding potential conflicts of interest.

4. Person to person

- I will not break the law, go against regulations or act in disregard of organisational policies in my relationships with fellow trustees, staff, volunteers, members, service recipients, contractors or anyone I come into contact within my role as trustee.

- I will strive to establish respectful, collegial and courteous relationships with all I come into contact with in my role as trustee.

5. Protecting the Charity's reputation

- I will not speak as a trustee of the Trust to the media or in a public forum without the prior knowledge and approval of the Chair.
- When prior consent has not been obtained, I will inform the Chair at once if I have spoken as a trustee of the Trust to the media or in a public forum.
- When I am speaking as a trustee of this Trust, my comments will reflect current organisational policy even when these do not agree with my personal views.
- When speaking as a private citizen I will strive to uphold the reputation of the Trust and those who work in it.
- I will respect organisational, Trust Board, and individual confidentiality.
- I will take an active interest in the Trust's public image.

6. Personal gain

- In accordance with the Trust Conflicts of Interest Policy, I will not personally gain materially or financially from my role as trustee.
- I will document expenses and seek reimbursement according to procedure.
- I will not accept substantial gifts or hospitality without prior consent of the Chair.
- I will use organisational resources responsibly, when authorised, in accordance with procedure.

7. At meetings

- I will abide by board governance procedures and practices.
- I will strive to attend all Trust Board meetings, giving apologies ahead of time to the Chair if unable to attend.
- I will study the agenda and other information sent me in good time prior to the meeting and be prepared to debate and vote on agenda items during the meeting.
- I will respect the authority of the Chair and respect his or her role as meeting leader.
- I will engage in debate and voting in meetings according to procedure, maintaining a respectful attitude toward the opinions of others while making my voice heard.
- I will accept a majority board vote on an issue as decisive and final.
- I will maintain confidentiality about what goes on in the boardroom unless authorised by the Chair or Board to speak of it.

8. Enhancing governance

- I will participate in induction, training and development activities for trustees as agreed by the Board.
- I will support good Board governance practice.
- I will strive to identify good candidates for trusteeship and support the appointment of new trustees on the basis of merit.

9. Leaving the board

- I understand that substantial breach of any part of this code may result in my removal from the Trust's Board as adjudged under the Memorandum of Articles
- Should I resign from the Board I will inform the Chair in advance in writing, stating my reasons for resigning. Additionally, I will participate in an exit interview.

Adopted _____

Signed Chair _____

Ambos Draft Safeguarding

Safeguarding Policy

Purpose

The purpose of this policy is to protect people, particularly children, at risk adults and beneficiaries of assistance, from any harm that may be caused due to their coming into contact with Ambos. This includes harm arising from:

- The conduct of staff or personnel associated with Ambos
- The design and implementation of Ambos's programmes and activities

The policy lays out the commitments made by Ambos and informs staff and associated personnel¹ of their responsibilities in relation to safeguarding.

This policy does not cover:

- Sexual harassment in the workplace – this is dealt with under Ambos's Anti Bullying and Harassment Policy²
- Safeguarding concerns in the wider community not perpetrated by Ambos or associated personnel

What is safeguarding?

In the UK, safeguarding means protecting peoples' health, wellbeing, and human rights, and enabling them to live free from harm, abuse, and neglect³

In our sector, we understand it to mean protecting people, including children and at-risk adults, from harm that arises from coming into contact with our staff or programmes.

Further definitions relating to safeguarding are provided in the glossary below.

Scope

- All staff contracted by Ambos
- Associated personnel whilst engaged with work or visits related to Ambos, including but not limited to the following: consultants; volunteers; contractors; programme visitors including journalists, celebrities, and politicians

¹ See 'Scope' for definition of associated personnel

² Some NGOs are now including workplace bullying and harassment in their safeguarding portfolio, as it relates to harm caused by coming into contact with our staff or programmes. However accompanying procedures for dealing with workplace bullying and harassment are likely to be different, due to legal and statutory differences in handling workplace incidents

³ NHS 'What is Safeguarding? Easy Read' 2011

Policy Statement

Ambos believes that everyone we come into contact with, regardless of age, gender identity, disability, sexual orientation or ethnic origin has the right to be protected from all forms of harm, abuse, neglect and exploitation. Ambos will not tolerate abuse and exploitation by staff or associated personnel.

This policy will address the following areas of safeguarding [as appropriate]: child safeguarding, adult safeguarding, and protection from sexual exploitation and abuse. These key areas of safeguarding may have different policies and procedures associated with them (see Associated Policies).

Ambos commits to addressing safeguarding throughout its work, through the three pillars of prevention, reporting and response.

Prevention

Ambos responsibilities

Ambos will:

- Ensure all staff have access to, are familiar with, and know their responsibilities within this policy
- Design and undertake all its programmes and activities in a way that protects people from any risk of harm that may arise from their coming into contact with Ambos. This includes the way in which information about individuals in our programmes is gathered and communicated
- Implement stringent safeguarding procedures when recruiting, managing, and deploying staff and associated personnel
- Ensure staff receive training on safeguarding at a level commensurate with their role in the organization.
- Follow up on reports of safeguarding concerns promptly and according to due process

Staff responsibilities

Child safeguarding

Ambos staff and associated personnel must not:

- Engage in sexual activity with anyone under the age of 18
- Sexually abuse or exploit children
- Subject a child to physical, emotional or psychological abuse, or neglect
- Engage in any commercially exploitative activities with children including child labour or trafficking

Adult safeguarding

Ambos staff and associated personnel must not:

- Sexually abuse or exploit at risk adults

- Subject an at-risk adult to physical, emotional or psychological abuse, or neglect

Protection from sexual exploitation and abuse

Ambos staff and associated personnel must not:

- Exchange money, employment, goods, or services for sexual activity. This includes any exchange of assistance that is due to beneficiaries of assistance
- Engage in any sexual relationships with beneficiaries of assistance, since they are based on inherently unequal power dynamics

Additionally, Ambos staff and associated personnel are obliged to:

- Contribute to creating and maintaining an environment that prevents safeguarding violations and promotes the implementation of the Safeguarding Policy
- Report any concerns or suspicions regarding safeguarding violations by Ambos staff members or associated personnel to the appropriate staff member and following strict policy and guidelines in the report of such concerns.

Enabling reports

Ambos will ensure that safe, appropriate, accessible means of reporting safeguarding concerns are made available to staff and the communities we work with.

Any staff reporting concerns or complaints through formal whistleblowing channels (or if they request it) will be protected by Ambos's Disclosure of Malpractice in the Workplace (Whistleblowing) Policy.

Ambos will also accept complaints from external sources such as members of the public, partners and official bodies.

How to report a safeguarding concern

Staff members who have a complaint or concern relating to safeguarding should report it immediately to the Safeguarding Lead – Matthew Thomason. If the staff member does not feel comfortable reporting to their Safeguarding Lead (for example if they feel that the report will not be taken seriously, or if that person is implicated in the concern) they may report to any other appropriate staff member. For example, Miguel Fernandes or Steph ?.

Matthew Thomason - msthomason@hotmail.co.uk – 07437341213

Response

Ambos will follow up safeguarding reports and concerns according to policy and procedure, and legal and statutory obligations (see Procedures for reporting and response to safeguarding concerns in Associated Policies).

Ambos will apply appropriate disciplinary measures to staff found in breach of policy.

Ambos will offer support to survivors of harm caused by staff or associated personnel, regardless of whether a formal internal response is carried out (such as an internal investigation). Decisions regarding support will be led by the survivor.

Confidentiality

It is essential that confidentiality is maintained at all stages of the process when dealing with safeguarding concerns. Information relating to the concern and subsequent case management should be shared on a need-to-know basis only and should be kept secure at all times.

Associated policies

Code of Conduct

Anti-Bullying and Harassment policy

Disclosure of Malpractice in the Workplace (Whistleblower) policy

Child Safeguarding policy

Adult Safeguarding policy

PSEA (Protection from Sexual Exploitation and Abuse by staff) policy

Complaints Policy

Procedures for reporting and response to safeguarding concerns

Procedures for safeguarding in staff recruitment

Other policies as appropriate

Glossary of Terms

Beneficiary of Assistance

Someone who directly receives goods or services from Ambos's programme. Note that misuse of power can also apply to the wider community that the NGO serves, and can include exploitation by giving the perception of being in a position of power.

Child

A person below the age of 18

Harm

Psychological, physical and any other infringement of an individual's rights

Psychological harm

Emotional or psychological abuse, including (but not limited to) humiliating and degrading treatment such as bad name calling, constant criticism, belittling, persistent shaming, solitary confinement, and isolation

Protection from Sexual Exploitation and Abuse (PSEA)

The term used by the humanitarian and development community refers to the prevention of sexual exploitation and abuse of affected populations by staff or associated personnel. The term derives from the United Nations Secretary General's Bulletin on Special Measures for Protection from Sexual Exploitation and Abuse (ST/SGB/2003/13)

Safeguarding

In the UK, safeguarding means protecting peoples' health, wellbeing, and human rights, and enabling them to live free from harm, abuse and neglect⁴

In our sector, we understand it to mean protecting people, including children and at-risk adults, from harm that arises from coming into contact with our staff or programmes. One donor definition is as follows:

Safeguarding means taking all reasonable steps to prevent harm, particularly sexual exploitation, abuse and harassment from occurring; to protect people, especially vulnerable adults and children, from that harm; and to respond appropriately when harm does occur.

This definition draws from our values and principles and shapes our culture. It pays specific attention to preventing and responding to harm from any potential, actual or attempted abuse of power, trust, or vulnerability, especially for sexual purposes.

Safeguarding applies consistently and without exception across our programmes, partners, and staff. It requires proactively identifying, preventing, and guarding against all risks of harm, exploitation and abuse and having mature, accountable and transparent systems for response, reporting and learning when risks materialise. Those systems must be survivor-centered and also protect those accused until proven guilty.

Safeguarding puts beneficiaries and affected persons at the centre of all we do.

Sexual abuse

The term 'sexual abuse' means the actual or threatened physical intrusion of a sexual nature, whether by force or under unequal or coercive conditions.

Sexual exploitation

The term 'sexual exploitation' means any actual or attempted abuse of a position of vulnerability, differential power, or trust, for sexual purposes, including, but not limited to, profiting monetarily, socially or politically from the sexual exploitation of another. This definition includes human trafficking and modern slavery.

Survivor

The person who has been abused or exploited. The term 'survivor' is often used in preference to 'victim' as it implies strength, resilience and the capacity to survive, however it is the individual's choice how they wish to identify themselves.

⁴ NHS 'What is Safeguarding? Easy Read' 2011

At risk adult

Sometimes also referred to as vulnerable adult. A person who is or may be in need of care 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.

This policy will be reviewed every 3 years

Adopted On _____

Signed By Chair _____