



Getting the right policies

CORE05

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Why have policies?

Policies set out how an organisation carries out its work. Your constitution is your basic policy document, but further policies will go into more detail about specific areas of concern.

Policies ensure that everyone works in the same way and the organisation functions smoothly. They can also be used to demonstrate to the public or to funders that your organisation is committed to certain principles.

Basic requirements

At the very least, your organisation should have policies which will help to keep you working within the law. To a certain extent this will depend on the type of work you do. For example, if you work with children or vulnerable adults you need to have policies in place which protect your clients and keep you within the current law regarding criminal checks etc.

In general terms, all voluntary organisations should have the following policies as a minimum:

- Health & Safety
- Equal Opportunities/Diversity
- Confidentiality
- Child/vulnerable adult protection (if relevant)
- Volunteer
- Complaints

Health & Safety

Health & Safety legislation can be something of a grey area for voluntary organisations so it is recommended that you seek advice on the law and how it applies to you before you draft your policy.

In basic terms your organisation has a 'duty of care' to avoid carelessly causing injury to anyone. This is a general legal duty which applies regardless of the size of the organisation, its income or whether the organisation has paid

staff. A duty of care can arise in many ways which may not always be obvious, for example:

- charity walks and sponsored runs
- loaning equipment to others
- running fetes or fairs
- organising day trips
- selling food at a charity stall

If you employ any paid staff, the legislation is more stringent. If your organisation has volunteers and paid staff it is good practice for your policy to treat them as equal in terms of your commitment to their health and safety.

Comprehensive information and advice is available from the Health & Safety Executive at **www.hse.gov.uk** or phone **0845 345 0055**.

Equal Opportunities/Diversity

The law does not require you to have an equal opportunities policy, but it is widely accepted as good practice. Having a broad-ranging policy in place sends a strong message that your organisation will not tolerate unfair discrimination on the grounds of race, gender, sexual orientation, age, religion or disability. It will also go some way towards protecting you from accusations of unfair practice in the future – but only if you stick to it.

Your policy should cover recruitment practices for staff, volunteers, members and trustees, working conditions, accessibility, how you deal with harassment and how you promote your organisation and provide your activities.

If you employ staff or provide services, you must ensure that your organisation abides by current equal opportunities law, so you should be aware of what legislation applies before you draft your policy.

Many organisations now prefer to use the term 'diversity' rather than equal opportunities. This means incorporating the principle of celebrating difference as well as respecting equal rights.

In-depth information to help you write your policy can be obtained from the following organisation:

The Equality & Human Rights Commission
- **www.equalityhumanrights.com** / **08457622633**

Confidentiality

The extent of your confidentiality policy will depend on the nature of your work. If your staff or volunteers deal with vulnerable clients or potentially criminal matters, your policy should extend into detailed procedures (see 'next steps'). In these cases, ensure that you set out very clearly when information should be disclosed and to whom.

Whatever the type of work you do, you will probably need to collect personal information of some kind, whether that is a newsletter mailing list, a record of donors or a database of volunteers. Your confidentiality policy should

therefore ensure that you deal with this information in accordance with the law – specifically the Data Protection Act 1998.

This should not worry you unduly as for the most part what the law requires is common sense. The Data Protection Act says that organisations must keep the information they hold accurate and up to date, that they must only keep it for as long as they need it for a specified purpose, and that they must keep it secure. Guidance and advice to help you draft your policy is available from the Information Commissioner's Office at www.ico.gov.uk / **01625 545 745**.

Child/vulnerable adult protection

Many organisations exist to care for children or people who are vulnerable because of their physical or mental ability or health. Many more carry out activities which children or vulnerable people might participate in from time to time. This type of policy is therefore relevant to a high proportion of groups. Your management committee is responsible for ensuring that those benefiting from your work are not harmed in any way through contact with your organisation. Committee members are expected to familiarise themselves with the relevant law, to comply with it where required and to adopt best practice where this is available from an authoritative source. Your child/vulnerable adult protection policy should ensure that this approach is adopted consistently by everyone in the organisation.

According to the Charity Commission and the NSPCC, your policy should establish the following principles:

- the welfare of the child/vulnerable adult is paramount;
- all children/vulnerable adults without exception have the right to protection from abuse
- all suspicions and allegations of abuse will be taken seriously and responded to swiftly and appropriately
- all the organisations trustees, staff and volunteers have a responsibility to report concerns.

To ensure that appropriate safeguards are in place, your policy should extend into detailed procedures (see 'next steps'). These should make clear:

- what is good practice amongst all personnel
- what is practice never to be sanctioned
- that the ways in which all personnel are recruited and selected ensures their suitability for working with children/vulnerable adults
- how to properly respond to suspicions and allegations
- how to approach confidentiality issues
- what systems are in place to ensure that all staff working with children/vulnerable adults are routinely and regularly monitored.

Further information to help you draft your policy is available from:

The Department of Health - www.doh.gov.uk
Devon County Council - www.devon.gov.uk/index/socialcare

(both these websites contain a wealth of information about best practice and the law in both child and vulnerable adult protection).

Criminal Records Bureau - www.crb.gov.uk / 0870 90 90 811

NSPCC - www.nspcc.org.uk / 0116 234 7223

(produce a wide range of resources, including a guide to developing a child protection policy called Firstcheck, with a companion document for sporting organisations called Sportscheck).

Volunteers

Volunteers may be described as individuals who put their experience, knowledge and skills at the disposal of an organisation, free of charge, with the primary aim of helping the organisation to achieve its service objectives and or with the primary aim of bringing some benefit to the local community. Most organisations will have some volunteers, even if it's just a small committee or someone who organises an annual fundraiser. They need to know what they can be expected to do, how their expenses will be met and where they can go if things go wrong. The volunteer policy should set these things out, ensuring consistency and clarity for everyone in the organisation and showing its commitment to its volunteers.

Volunteering England's website has some very useful advice and information about drawing up your volunteer policy

Volunteering England – www.volunteering.org.uk

Complaints

Although we all strive to provide a quality service, from time to time there may be occasions when users of our services feel that the quality or level of service provided falls short of what they could reasonably expect. To ensure this can be feedback and dealt with, it is important to have a complaints policy which outlines the procedure of what they should do and how it will be dealt with by the organisation. Don't wait for a complaint to be made before developing a complaints procedure. You should make sure that everyone in your organisation understands the procedure and it should include details of:

- what someone should do if they have a complaint
- how their complaint will be investigated
- how long the investigation will be expected to take
- who will investigate and respond to the complainant
- what they should do if they remain dissatisfied.

Your complaints process should aim to be open and transparent. To present a more positive face, you may decide to combine a complaints and suggestions procedure.

Writing your policies

Writing policies should be a result of discussion and agreement about what is right for your organisation. When drafting a new or revised policy, it is essential to involve and consult everyone who will be directly affected by it.

Be clear about who will make the final decision though, and recognise that you probably won't be able to please everyone.

Major policies will almost always be decided by the management committee, but less important ones can be delegated to a sub-committee or to staff.

Don't be tempted to make your policies so detailed that they become inflexible. Aim instead to set out broad principles which can be applied as your organisation develops.

Your group may have an umbrella body which has already drawn up policies or you may know of a similar organisation which is prepared to share theirs with you. Looking at existing policies can provide a useful guide, but don't be tempted to simply copy them and change the name. All your policies should be directly relevant to what you do.

Most importantly, don't file your policies away where no-one can find them. Create a policies folder which contains all the relevant documents and is easily accessible.

Next steps

Once you have your basic policies in place, you will probably want to extend your range. These could cover general management issues, such as employment, finances or volunteers, or they could be specific to your type of work. For example: if you run a hostel, you will probably want to draw up an admissions policy; or if you are a gardening group, an environmental protection policy might be relevant.

As we mentioned above, your policies should set out principles. As you live with your policies, you may find it helpful to set out the practicalities of implementing them in your everyday work. These practical guides are known as procedures or codes of practice. When drafting or changing procedures, always remember that they should follow the policy, not vice versa.

Finally, it is vital that you take time periodically to examine your policies and consider whether they are still appropriate. Include in each policy a date for revising it, for example in 3 years time. If you have a range of policies, it is probably a good idea to stagger these revisions.

If you need further support with developing your policies, contact Involve.

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