



Policies Handbook

2023-2024

Reviewed September 2023

South West Music School is a charity (**Number 1138482**)
Company number – 07307202

South West Music School (SWMS) is a Centre of Advanced Training (CAT) for Music which is part funded by the Department for Education (DfE) We offer extra-curricular activity at weekends and school holidays.

Health and Safety guidelines

It is the intention of the Board of Trustees of South West Music School (SWMS) to comply with The Health and Safety at Work Act 1974, The Management of Health & Safety at Work Regulations 1999 and all other subordinate legislation.

Organisation

The Board of Trustees has placed the responsibility for the implementation of this policy. In turn authority is delegated through all levels of management and supervision.

The Trustees and management staff are responsible for the provision of competent advice to freelance contractors and employees at all levels on matters relating to health, safety. They monitor the existing health and safety policy and prepare new plans for the continuous improvement to the management of Health and Safety within SWMS activities.

Arrangements

SWMS Health and Safety manual contains the detailed arrangements for the practical implementation of the SWMS policy, a copy of which is held at SWMS and will be made available to all freelance contractors and employees on request.

It is the intention of SWMS that no work (as far as is reasonably practicable) will endanger the health, safety or welfare of employees or any other persons that could be affected by its undertaking.

It is, therefore, the policy of SWMS to provide

1. Safe methods of work including - risk assessments for all activity, safe equipment and healthy working conditions. At our partner sites we adhere to the Fire and Evacuation plans and specific site rules.
2. To prevent and minimise all personal injuries and work-related illnesses as far as reasonably practicable.
3. To provide information, instruction and training, as required, to ensure work is undertaken by safe and healthy methods. To undertake risk assessment for all workshop/residential activity and to inform all those who may be affected by the Trust's activities of any risks to their health and safety.
4. To encourage individual employees and freelance contractors to fulfil their legal duty to assist in providing and promoting a safe and healthy environment. This is a legal requirement, as well as a matter of policy.
5. All freelance contractors are required to comply with the terms and conditions contained within this policy statement and contract.

6. SWMS ensures that a responsible adult/safeguarding lead is present at all activities.
7. First aid provision is in place at all activities.

SWMS collects all relevant medical/allergy information for each student at the start of the academic year. These forms are stored securely and not shared externally. However, all information is reviewed and collected ahead of workshop/residential activity. The DSL/Lead House Parent has access to this information on site.

Accidents and Injuries

If a child, young person or vulnerable adult is injured while involved in a SWMS activity, a record of the injury will be made in the accident book. Records must be counter-signed by the on-site first aider. If a child, young person or vulnerable adult arrives at a SWMS activity with an obvious physical injury, a record of the injury will be made in the accident book.

First Aiders will:

- treat casualties in accordance with the training they have received.
- inform SWMS management when the training certification period is nearing expiry.
- attend periodic retraining to ensure skills are maintained.
- update contact details if they move premises or change usual working location.
- ensure that the contents of their first-aid box are regularly checked to establish that supplies are sufficient to meet requirements.
- request replacement supplies after equipment has been used or has passed a use by date.
- ensure any incidents are reported and recorded using the SWMS' reporting procedures including details of any treatment provided.

Review

The Health and Safety Policy statement will be reviewed annually or more frequently if there are any major changes needed before the planned review date.

Last reviewed: September 2023

South West Music School Equal Opportunities Policy

Policy statement

Recognising that discrimination is both unacceptable and unlawful, South West Music School (SWMS) is committed to the principles of equal opportunities in all aspects of its work. It adopts policies that do not discriminate unfairly or unlawfully against anyone and seeks ways to implement them, through strategies, procedures and practices, which promote equality of opportunity for all.

SWMS is committed to addressing the issue of accessibility at all levels, including the removal of physical, psychological, emotional, intellectual, cultural, attitudinal and, as budgets permit, financial barriers to participation in its activities.

SWMS is committed to ensuring the needs of all are appropriately met and complies with the relevant provisions of the Equality Act 2010, which names sexual orientation and gender reassignment as protected characteristics. Diversity and inclusion is celebrated across all aspects of SWMS activities, and we believe LGBTQ members have a right to be who they are, and express themselves freely, without prejudice.

Staff are committed to train and understand how best to support LGBTQ members, thereby being able to make a positive difference in impacting members' mental health, their safety, their academic success, and their overall quality of life.

SWMS aims to ensure that no one taking part in any SWMS activities, whether as a job applicant, employee, volunteer or project participant, is discriminated against, directly or indirectly, on the grounds of colour, race, ethnic and national origins, nationality (citizenship), disability, sex or gender, marital or parental status, or working status.

It is the duty of everyone involved in SWMS activities to accept personal responsibility for the application and implementation of this policy and to adhere to its principles by promoting equality of opportunity and anti-discriminatory practice in every aspect of their dealings with people.

Implementation – Code of Practice

1. Availability and distribution

A copy of this policy can be viewed on our website www.swms.org.uk

2. Recruitment

All SWMS permanently contracted posts are publicly advertised in a range of media, including specific periodicals. Job descriptions and person profiles are agreed in advance.

Artists and Project leaders may on occasion be engaged on recommendation for their specific skills and qualities, but always against objectively agreed criteria and/or job descriptions and personal profiles, as appropriate.

All applicants receive equality of treatment and are given equality of opportunity. Selection criteria and procedures ensure that individuals are selected on the basis of relevant skills and qualifications. Arrangements are made to ensure that all job interviews and auditions are fully accessible.

3. Employment and Training

SWMS pays a fair wage for a given job with reference to national and local averages for equivalent jobs in the arts. It adopts a flexible approach to the number of hours an employee is expected to work and monitors this to ensure that it does not result in abuse or unreasonable hours being worked by any employee.

SWMS reviews annually the training needs and personal development aspirations of its entire permanent staff. It also considers the training needs of casual staff, volunteers, project leaders and work-experience trainees, to ensure that they have sufficient knowledge and understanding of statutory requirements in relation to disability and equal opportunities policy, practices and procedures so as to avoid unlawful or unacceptable discrimination.

All new employees will be instructed in the implementation of this policy as part of their induction programme.

4. Accessibility

SWMS pays particular attention to the needs of people with disabilities, whether a participant on the programme, artists or employees or members of an audience. It will consider the needs of people with disabilities of all kinds, including people with physical and sensory impairment, learning and hidden disability and take advice from disability/access advisory/action groups wherever appropriate, providing training, as required, for its staff, volunteers and project partners.

SWMS will endeavour to use those venues that have accessible facilities that comply with current regulations and the Disability Discrimination Act 1995 (DDA).

5. Programming

SWMS' artistic policy and programming is geared towards providing equality of opportunity for its entire participating young people. Cultural diversity is actively encouraged, programmed and promoted.

6. Marketing and Publicity

The image of SWMS and its work, presented through publicity and print, will always endeavour to remain faithful to the spirit of this policy.

7. Monitoring & Evaluation

SWMS's Equal Opportunities policy is reviewed annually to assess the SWMS' efficiency and effectiveness in implementation.

Employees, volunteers, trainees, members, musicians and other users of SWMS, i.e. all those required to adhere to this Policy, are invited to offer constructive criticism, fresh ideas and feedback regarding its contents and implementation.

It is a condition of working for SWMS and participating in their programme that SWMS Policies are respected, adhered to and implemented. Anyone found to be in breach of this or any other SWMS Policy will be invited to a formal review.

Disability and Special Needs Access

South West Music School is committed to a comprehensive policy of equal opportunities.

We aim to create a fully inclusive environment where all learners feel welcome and able to fully participate and demonstrate their skills.

Definition of disability

Disability is – *A physical or mental impairment which has a substantial and long term adverse effect on someone's ability to carry out normal day to day activities.*

Discrimination is defined as: *Treating someone less favourably than someone else for a reason relating to disability. Discrimination can be direct, indirect or arise from the disability.*

We recognise that failure to ensure our delivery and qualifications are accessible may:

- Make us liable to prosecution under the equality act 2010
- Damage the reputation of South West Music School and our accrediting partners
- Reduce the number of people able to access our training and accreditation
- Increase workloads as a result of dealing with complaints.

The aim of this policy is to ensure that no student registered on one of the South West Music School courses receives less favourable treatment on grounds not relevant to good candidate practice. To achieve this, we aim to provide information, materials and assessments which are free from bias, use plain language and are user friendly for all our customers. Equal opportunities extend to all aspects of our organisation and all our staff including our Tutors, Mentors, Examiners and Moderators who will treat all Students and Candidates fairly.

Our responsibilities where Candidates are studying within external venues –

The institution involved has a responsibility to ensure that recruitment, delivery and assessment practices are carried out in relation to this policy and the requirements set down in relevant legislation to protect students from discrimination.

SWMS welcomes diversity amongst its staff and students and seeks to ensure that all students are treated fairly, and that selection is based solely on the individual's abilities and suitability for the courses.

The recruitment process must result in the selection of the most suitable person for each course with regards to their potential and aptitudes. The selection process will be carried out consistently for all qualifications at all levels. The selection of new students will be based on qualification requirements and the individual's suitability and ability to meet the standards required or qualification.

Student responsibilities

- All Students have a duty to co-operate to ensure that this policy is effective to ensure equal opportunities and to prevent discrimination.
- Students must not harass or intimidate other students on the grounds of race or sex, disability or sexual orientation and must not victimise or retaliate against students who make such allegations.
- Disciplinary action will be taken against any student who breaches this policy and such cases will be dealt with according to the proper procedures.

Reasonable adjustments and special considerations

We are committed to the following principles:

- Encouraging disabled people to declare their disability to us so that we can assist them
- Eliminating any discriminatory practices
- Enabling individuals to demonstrate their skills by removing unnecessary barriers and promoting the social model of disability.
- Empowering individuals through listening to what alterations they may need rather than guessing their requirements
- Ensuring the standards we set ourselves are not compromised in any way
- There may be certain cases where a candidate/student requires a reasonable adjustment to be made to their assessment to reflect a permanent learning difficulty or disability, or a special consideration in the case of temporary disability, illness or indisposition. South West Music School deals with special arrangements on a Candidate by Candidate basis

South West Music School will treat seriously any allegations that our staff or anyone working on behalf of South West Music School has failed to comply with this policy.

South West Music School Complaints Procedure

The principles of the formal complaint's procedure are the same for all members of SWMS. The purpose is to give those who have exhausted the obvious ways (talking and seeking advice) a route by which to bring the complaint to the attention of a senior person who can address it and take appropriate action. The aim will always be to resolve the problem which has led to the complaint and to learn lessons for the future in a positive and confidential manner.

SWMS Students and Parents

If a student and or parent wishes to make a formal complaint, then they can follow the process as laid out below:

Clearly state the nature and concern of their complaint in writing, making it clear that it is a formal complaint. This should be addressed and sent to the SWMS Chair of Trustees, Dr Oliver Leaman c/o the SWMS office address.

SWMS will aim to respond within 5 working days on receipt of the letter to discuss further. If it is felt that a formal meeting is required, SWMS will arrange a confidential meeting as soon as possible. In the case of a student complaint they may be accompanied at that meeting by any adult or fellow student of their choice.

At the meeting the student and or parents will be given the opportunity to discuss the problem in detail, and all present at the meeting will discuss and decide on the best course of action. SWMS will follow the meeting with a written report explaining the conclusion and any actions proposed.

All correspondence, statements and records relating to individual complaints are to be kept confidential.

Staff

If a member of staff wants to make a formal complaint, then he or she should write a letter including the main substance of the complaint to the Board of Trustees.

All correspondence, statements and records relating to individual complaints are to be kept confidential.

South West Music School

Student Discipline and Expulsion Policy and Procedures

The SWMS Student Handbook sets out the guidelines and rules for participation in South West Music School. This policy also sets out examples of offences and the procedures that will take place to address misbehaviour and discipline issues. These examples are not exhaustive, and the Trustees may apply any sanctions at their disposal after reviewing all the evidence. All aspects of the student's record at SWMS may be taken into account.

Introduction

Discipline (Warning or Warnings) is defined as the action of the management of South West Music School officially speaking to a student and/or parent about any incidents of unacceptable behaviour.

The Trustees may request or require that a student permanently leave the school for other reasons, for example non-attendance and lack of engagement.

Discipline will take place if the South West Music School management team considers that it is necessary.

Discipline Procedure

Procedures will be conducted as swiftly as possible. Procedures are as follows:

Discussion with Student and Parents as appropriate

- In the first instance a discussion will occur directly with the student to enable them to take ownership of their actions and to give them the opportunity to correct the situation.
- If the situation still fails to be addressed in a satisfactory way, then the matter will be referred to the Expulsion Policy & Procedure.

Report

A note of any disciplinary discussions will be kept on the student's file. A copy of letters sent to the student's parents will be kept on the student's file and the South West Music School Board of Trustees will be informed.

Expulsion Policy

Expulsion will take place if the management team and Trustees decide that a student's place

should be forfeited, examples of situations that could lead to expulsion:

- A serious disciplinary incident.
- Following a particular behaviour pattern, despite reasonable warning or warnings.
- Non-attendance on a regular basis
- Lack of engagement in activities
- Unreasonable parental behaviour

Grievance Procedure

A parent who wishes to make a comment or complaint about any aspect of discipline or expulsion procedure can do so in line with the SWMS complaints procedure.

Privacy Policy

Our privacy policy is our commitment to you as our students, parents, tutors, employees and freelance workers. It explains what personal information we collect and how we use it.

We will respect the privacy of everyone who interacts with our organisation and ensure that all data is collected and processed lawfully.

How We Collect Information about you

When you decide to interact with us, we may collect information in a number of ways:

When you apply to take part in SWMS activities

When you attend a SWMS performance or event

When you make a donation to SWMS

When you sign up for our newsletter

When you visit our website or social media pages

When you get in touch with a general enquiry or request, give feedback or make a complaint.

From time to time, we may also receive data about you from third parties. This could include Music Education Hubs, schools and other music education organisations.

What Information we collect from you

SWMS collects different kinds of information depending on how, where and when it was gathered. When you sign up for our newsletter, make a donation, make an application to join SWMS, we will collect information directly from you which may include your:

full name and title, address, date of birth, telephone number, email address, access needs, medical information, or dietary requirements

This data is collected so that we can accurately keep a record of your interaction with SWMS and communicate with you (or not) appropriately according to your wishes.

If you volunteer for us or apply for a job with us, we will collect information necessary for us to process these applications and assess your suitability (which may include things like employment status, qualifications and previous experience, as well as any unspent criminal convictions or pending court cases you may have).

If you apply to take part in SWMS activities, we will collect a range of information relevant to the selection process and our statistical reporting. This may include:

- information about your education and musical training
- information about your home address and contact details
- demographic information including financial background and protected characteristics such as ethnicity, sex, gender identity and disability

This is to help ensure we are targeting our charitable resources where they are most needed; we are required to report this data in an anonymised format to our funders.

As part of our application processes for SWMS activities, we ask young people to provide contact details for their parents/carers and for their school and instrumental teachers and Music Education Hub so that we can communicate with them about the young person's involvement in SWMS. We ask applicants to ensure that they have permission to share these details with us.

When a young person has been invited to take part in SWMS activities, we collect medical, health and safeguarding information so that we can ensure their safety whilst in the care of SWMS. Sensitive information is handled with great care, with access restricted to those directly involved in providing pastoral support to the young people.

How we use your information:

We will use your personal information to:

- administer SWMS activities;
- provide you with the information you asked for;
- administer your donation
- keep a record of your relationship with us;
- respond to or fulfil any requests, complaints or queries you make to us;
- understand how we can improve our services by conducting analysis and market research;
- manage our events;
- further our charitable objectives;
- send you correspondence and communicate with you;
- generate reports on our work, services and events;
- safeguard young people, our staff and volunteers;

- conduct due diligence and ethical screening;
- process your application for a job or volunteering position;
- audit and administer our accounts;
- meet our legal obligations, for instance to perform contracts between you and us, or our obligations to regulators, government and/or law enforcement bodies;
- carry out fraud prevention and money laundering checks;
- undertake credit risk reduction activities; and/or
- establish, defend or enforce legal claims.

How we use your information to tell you about our work

Our marketing and fundraising communications include information about SWMS activities, events and campaigns, including requests for donations or other support. Occasionally, we may include information from partner organisations or organisations who support us in these communications.

For email communication, we operate an ‘opt-in only’ policy. This means that we will only send email marketing communications to those that have explicitly stated that they are happy for us to do so.

You can change your mind about your preferences at any time by contacting us.

Legal Basis for Processing

Data protection laws mean that each use we make of personal information must have a “legal basis”. The relevant legal bases are set out in the General Data Protection Regulation (EU Regulation 2016/679) and in current UK data protection legislation.

Consent

Consent is where we ask you if we can use your information in a certain way, and you agree to this (for example when we send you marketing material via e-mail). Where we use your information for a purpose based on consent, you have the right to withdraw consent for any future use of your information for this purpose at any time.

Legal obligation

We have a basis to use your personal information where we need to do so to comply with one of our legal or regulatory obligations. For example, in some cases we may need to share your information with our various regulators such as the Charity Commission, Fundraising Regulator, Information Commissioner, or to use information we collect about you for due diligence or ethical screening purposes.

Performance of a contract

We have a basis to use your personal information where we are entering into (or preparing to enter into) a contract with you or performing our obligations under that contract.

Examples of this would be if you are signing up for a regular giving scheme, applying for or accepting a place on SWMS activities, or applying to work/volunteer with us.

Vital interests

We have a basis to use your personal information where it is necessary for us to protect life or health. For instance if there were to be a safeguarding issue which required us to contact people unexpectedly or share their information with emergency services.

Legitimate interests

We have a basis to use your personal information if it is reasonably necessary for us (or others) to do so and in our/their “legitimate interests” (provided that what the information is used for is fair and does not unduly impact your rights).

Some examples where we are relying on legitimate interests are:

- analysis and profiling of our supporters using personal information we already hold;
- updating your address using third party sources if you have moved house (please see the “Keeping your information up to date” section below for more on this).
- sending marketing and fundraising information to existing and potential supporters by post;
- use of personal information when we are monitoring use of our website for technical purposes;
- use of personal information to administer, review and keep an internal record of the people we work with, including supporters and participants in SWMS activities;
- maintaining a database of professional contacts and suppliers (including potential suppliers).
- We only rely on legitimate interests where we consider that any potential impact on you (positive and negative), how intrusive it is from a privacy perspective and your rights under data protection laws do not override our (or others’) interests in us using your information in this way.

How We Keep Your Information Safe

We ensure that there are appropriate technical and organisational controls (including physical, electronic and managerial measures) in place to protect your personal details. We will do our best to protect your personal information. However, we cannot guarantee the security of your data before it reaches us, and any transmission is therefore at your own risk. Once we have received your information, we use strict procedures and security features to prevent unauthorised access).

We use Google Suite for Non-Profit Organisations to provide a centralised secure database, ensuring we can keep an accurate record of our interaction with individuals and their communication preferences. We use a number of associated Google products and software integrations, along with Mailchimp to oversee our newsletter database.

Most of our data storage and transfer solutions are based in countries within the EEA; however some companies we work with may have servers based outside of the EEA. All data is stored and transferred in accordance with current Data Protection regulations through contract. Where data is sent outside of the EEA, we will take steps to make sure they

provide an adequate level of protection in accordance with UK data protection law, and appropriate safeguards are in place.

How long we keep your information for

We take into account various criteria when determining the appropriate retention period for personal data including:

- the purposes for which we process your personal data and how long we need to keep the data to achieve these purposes;
- how long personal data is likely to remain accurate and up-to-date;
- for how long the personal data might be relevant to possible future legal claims;
- any applicable legal, accounting, reporting or regulatory requirements which specify how long certain records must be kept.
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We will keep data for only as long as it makes sense to do.

We retain basic information about participants in SWMS activities indefinitely for statistical and archival purposes. Sensitive information about individual participants (including health and welfare information) is only retained whilst the individual is actively involved in SWMS activities and for up to one year after their last interaction.

To ensure that we do not contact individuals who have requested not to be contacted, it is important that we keep an adequate record of their request. This means that we cannot completely delete data from our systems. Instead, we will minimise the data that we hold (usually to name and last known address only).

Legally, we need to keep some records, especially relating to financial transactions and Gift Aid, for 7 years.

Sharing Your Information with Others

We will never share your data with any third party for their own marketing or fundraising purposes.

We may need to share your information with a small number of trusted partners for the purposes outlined under “How we use your data”. Where we use third parties, we require them to adhere to appropriate controls to protect personal information. They will not be allowed to sell your data or compromise its security in any way.

Your Rights

Under UK data protection law, you have rights over personal information that we hold about you. We’ve summarised these below:

Right to access your personal information

If you would like to see the personal data that we hold about you please contact us.

Right to have your inaccurate personal information corrected

If you believe the information we hold about you is inaccurate or incomplete, please provide us with details and we will investigate and correct any inaccuracies immediately.

Right to restrict use of your personal information

Please let us know as soon as possible if:

- some information we hold on you isn't right
- we're not lawfully allowed to use it
- you need us to retain your information in order for you to establish, exercise or defend a legal claim; or
- you believe your privacy rights outweigh our legitimate interests to use your information for a particular purpose and you have objected to us doing so.

Right to erasure of your personal information

If you would like us to delete some or all of your personal information, please let us know. If we are unable to delete your information, we will explain why this is the case.

Right for your personal information to be portable

If we are processing your personal information (1) based on your consent, or in order to enter into or carry out a contract with you, and (2) the processing is being done by automated means, you may ask us to provide it to you or another service provider in a machine-readable format.

Right to object to the use of your personal information

If we are processing your personal information based on our legitimate interests or for archival/statistical purposes, you have a right to object to our use of your information.

If we are processing your personal information for direct marketing purposes, and you wish to object, we will stop processing your information for these purposes immediately.

If you want to exercise any of the above rights, please contact us.

We may be required to ask you for further information and/or evidence of identity. We will endeavour to respond fully to all requests within one month of receipt of your request, however if we are unable to do so we will contact you with reasons for the delay.

For more information on data protection, we recommend you consult the guidance published by the UK's Information Commissioner's Office (ICO).

