



BRIGHTON YOGA FOUNDATION

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1. Executive Summary

This document contains all of the Brighton Yoga Foundation's (BYF)'s policies and procedures. The BYF team includes all people who are working on behalf of the organisation, either paid or unpaid – trustees, employees, contractual workers, teaching and non-teaching volunteers. Collectively 'The BYF Team members'.

This document will be sent to BYF team members when they join the team and a hard copy will be kept Chairman's office and will be available on request. The updated version will be sent out every two years to all members of the team following review.

Each team member should read a copy of the document and confirm by email to the charity secretary that they have understand the policies and procedures relevant to them.

2. Equal Opportunities

Equal Opportunities Policy

BYF is an organisation founded on the principle of equal opportunities and promotes the inclusivity and accessibility of yoga. We will never knowingly discriminate against anyone within or out with the organisation due to their race, gender, sex, religion, disability, marital status, pregnancy status, sexual orientation, mental health or age. We expect all team members to follow this example.

Statement of Purpose

Brighton Yoga Foundation is committed to meeting the needs and aspirations of customers and communities in a fair, respectful, and proportionate manner. Our approach to diversity and equality is to promote inclusiveness by recognising that anyone, can make a positive difference in the achievement of the organisation's vision and in the wider society.

The policy is linked to our vision, values and business plans. Strategies and action plans will be used to realise and deliver our policy aims. This is our framework of continuous improvement and learning.

Our Approach

The policy applies to everyone the organisation serves, who works for it, applies for work or who provides services to it. Diversity and equality are integral to all aspects of our work.

We will comply with best practice from legal, regulatory and inspection requirements. Codes of Practice and other guidance will be used appropriately to ensure progress on diversity.

Brighton Yoga Foundation will not discriminate against, bully or victimise any person or organisation on grounds of, race, ethnic origin, nationality, religion or belief, gender, marital status, sexual orientation, disability, age, class, appearance, responsibility for dependants or any other protected characteristics under the 2010 Equality Act or any other matter which causes a person to be treated with injustice.

Principles

To demonstrate our commitment to diversity and equality, working to eliminating all forms of discrimination whether covered in law or not.

To raise awareness, recognise and celebrate our successes, forming a platform for continuous learning and improvement.

To have a greater and deeper understanding of our customers, enabling them to influence services.

To have a proportionate number of outcomes and goals for the size of the organisation to ensure all stated outcomes are delivered without exception.

To listen to staff and customers through a range of mechanisms to assess satisfaction levels across various groups to ensure parity of outcomes.

To have Board members, staff and members that reflect the makeup of the communities we serve.

To work in inclusive ways in developing an organisational culture that proactively promotes diversity and equality.

To ensure the Board, staff and members are supported and trained in knowledge and skills to deliver our policy on diversity and equality.

Roles and Responsibilities

Anyone representing Brighton Yoga Foundation has to abide by all policies and procedures of the organisation. This ranges from employees, volunteers (including trustees), contractors, consultants and agency staff. This list is not exhaustive.

The Board's leadership role will ensure the policy is successful. Staff and volunteers will have professional, individual and collective responsibility to implement the policy. Contractors, consultants and partner organisations are required to demonstrate their commitment and action to share our policy objectives on diversity.

Implementation, Monitoring, Review and Evaluation

- Board appraisals will be linked to this policy and the performance management system in the organisation.
- Performance indicators will provide a formal measure of progress and will form part of quarterly Board reports.
- The trustees will monitor progress on this policy, providing a focus internally for staff and externally for customers.
- Annual reviews will build on previous performance. The overall impact of the policy will be evaluated at the end of the 3-year cycle to make further continuous improvements.

Procedure for Dealing with Breaches of this Policy

Any breach of this policy, intended or accidental, is not acceptable. Infringements of this policy will be dealt with seriously as disciplinary matter under Brighton Yoga Foundation's normal disciplinary procedures and may involve either informal or formal action depending on the seriousness of the case.

Equality and Diversity

We aim to be an organisation that values, recognises and responds to the diverse needs of members and those we serve. We adhere to the Equality Act 2010 and will not discriminate against any person or other organisation with particular reference to the protected characteristics

Monitoring and Review

The Board of Trustees, will regularly review the operation of this policy.

Should anyone internally have a grievance with regards BYF's conduct in relation to the Equality Act 2010 they should follow our Whistleblowing Procedure outlined below.

3. Whistleblowing Policy

Whistleblowing refers to wrongdoing within BYF for you, as a member of the BYF team, to disclose and bring to light. Whistleblowing refers to issues that are in the public interest (i.e. it affects the general public or our clients) to disclose.

This policy relates to:

- Financial malpractice or impropriety or fraud
- Failure to comply with a legal obligation or statutes, i.e. BYF is breaking the law
- Dangers to a person's health & safety
- Risk or actual damage to the environment
- Criminal activity
- Improper conduct or unethical behaviour
- Attempts to conceal any of these

You can raise a concern at any time about an incident that happened in the past, is happening now, or you believe will happen in the near future. Whistleblowing does not include personal grievances such as harassment, bullying or discrimination unless the case is in the public interest. For issues of this kind, please refer to our Resolution of Differences policy and procedures.

It is acknowledged that feelings generated by the discovery that a member of staff or volunteer is, or may be acting improperly can be challenging. This includes the difficulties inherent in reporting such matters. However, BYF encourages any member of the team with concerns about the above, to report it sooner rather than later.

BYF assures all members of the team that it will fully support and protect anyone who, in good faith (without malicious intent), reports his or her concerns and that BYF will take this kind of issue very seriously. You should also understand that as a member of the BYF team, the law also protects you when you blow the whistle. It would be against the law for BYF to treat you unfairly following whistleblowing.

3.2 Whistleblowing procedure

If you are unsure if your concern comes under Whistleblowing, please feel free to speak to an BYF trustee about your concerns before making a formal report. We really do want to know if there is malpractice within our organisation. Alternatively, you can contact the charity Public Concern at Work. Their website is <http://whistleblowing.org.uk/> or their phone number is 020 7404 6609.

If, as a member of the BYF team, you believe that others within the team are involved in malpractice as outlined in the policy above, then you should report it in the following way:

1. Immediately inform an BYF trustee both by telephone and in writing via email.
 - a. If you suspect one of the trustees of purposeful wrongdoing, please approach another trustee.

b. If this is not appropriate then it may be necessary to take the matter outside of the organisations, to an independent mediator, or a governing body such as Yoga Alliance Professionals, the British Wheel of Yoga or even to the police.

2. Write notes with as much detail as possible outlining the facts and events that have led you to this conclusion.

3. A meeting will be organised between you, the reporter, and an BYF trustee, as soon as possible to listen to your concerns. You may be asked for further information and for clarification.

4. The concerns will be investigated by means of interviews, discussions, a review of any paperwork and by all means necessary and the member of staff against whom the complaint is made will be made aware.

Should the allegation be found to be true, the appropriate steps will be taken in line with BYF Resolution of Differences policy and procedure. You may have a say in how your concerns are dealt with but ultimately the trustee's decision will be final.

The issue may be escalated to the police if there is evidence of criminal activity.

Confidentiality

You may choose to report your concerns anonymously, and in all cases as far as is possible, BYF will treat all disclosures in a confidential and sensitive manner. The identity of the individual making the disclosure or allegation may be kept confidential so long as it does not hinder or frustrate any investigation and BYF trustees do not suspect that you or someone else may be at risk of harm. Where it is not possible to proceed with the investigation and/or resolve the concern without revealing your identity, every effort will be made to discuss this with you before proceeding.

Disclosures outside this policy

If at any time it is discovered that you have raised a concern maliciously, or it is considered to be in bad faith or with a view to personal gain, you will lose the protection provided to you under this policy. In addition, you may be subject to BYF's policy on Dealing with bigger Differences outlined below.

4. Complaints Policy

This refers to complaints against BYF from out with our organisation. This may be against an individual team member, a trustee or the organisation as a whole and a copy of it is displayed on our website for people to refer to.

Complaints Policy

At BYF we are proud of the service we offer. We therefore want to hear from anyone if you feel our services have not lived up to your expectations.

The following procedure outlines what you, an BYF students, client, partner, or service user, can do you have a complaint about our staff, teachers, volunteers, classes or services.

Complaints Procedure

The easiest way to resolve an issue is to discuss it with the person with whom the issue lies. In the first instance, if you feel able to, please discuss the problem with the BYF team member involved. If this does not resolve the issue, or if you do not feel able to raise the complaint with the person it affects, please get in touch with an BYF trustee. You can complain to the trustee in person, by email contact details: relax@brightonyogafoundation.org

When complaining, please tell us:

- your full name and contact details
- the date and location of the alleged conduct
- as much as you can about the complaint
- the full name of the teacher, BYF team member your complaint relates to
- any tangible evidence available to support the complaint
- how you would like us to resolve the matter

Our contact details: relax@brightonyogafoundation.org

Every attempt will be made to resolve any complaints quickly, effectively and informally. However, if the complaint cannot be resolved through the usual channels of open and honest communication the following procedures will be followed.

1. You will be asked to provide a written report about the complaint, covering the information stated above. (If providing a written report is not possible for you then please let us know and we will be happy to arrange for the report to be recorded orally).

2. A written record of the concern will then be completed by the BYF to whom you have made the complaint and if applicable, contact will be made with any partner organisation involved to discuss the issue with them.

3. We will:

- acknowledge receipt of your complaint within five working days
- discuss your complaint with you to understand why you are dissatisfied and what outcome you are looking for

- give you a full response to the complaint as soon as possible and within 20 working days

Information you provide to BYF will be treated in line with our Confidentiality policy. BYF may request additional information from you during the course of a review of any complaint.

Should your complaint lead to the discovery of wrongdoing by a member of our team, our Resolution of Differences policy and procedures will be followed to resolve the issue.

5. Resolution of Differences

This refers to the resolution of issues and differences between the BYF team.

Resolution of Differences Policy

From time to time, there may be differences within the BYF team, either between members of the team, or between the trustees and members of the team. When this is the case, we hope to resolve these differences in an informal way. However, there may be times when more formal procedures need to be followed. The following procedures outline how differences should be resolved within BYF.

Resolution of Differences Procedures

If you have a difference of opinion with another BYF team member that is causing you to feel worried or stressed or is affecting your role then please follow the appropriate procedure outlined below.

Issues between you and the BYF trustees

If you have an issue with an BYF trustee, the first step is

1. To discuss this with one of the trustees. We want our team members to be satisfied with the role they and we play, so if this is not the case, please speak to us about it. You can speak to the trustee in person, over the phone or via email.

You should tell us:

- as much as you can about the problem
- what has gone wrong
- how you want us to resolve the matter

2. We will try to resolve any issues informally through open and honest communication.

3. If, following the discussion with a trustee and the implementation of any action agreed, you are not satisfied with the outcome, you should make a written complaint via email to the trustee you feel most able to discuss the issue with, detailing what the issue is and why you are not satisfied with the outcome.

The trustees will review this complaint and respond within 20 working days with a final resolution. The trustee's decision is final.

Resolving day-to-day issues with you

If we become aware of day-to-day issues such as poor time keeping, or repeated absence, which are affecting your role and compromising the reputation of the organisation, we will follow the following procedure;

1. To start with we will either discuss any issues over the phone or in person. We will try to agree a new way forward that will resolve these issues and a timescale for changes to be seen.

2. If changes are not seen within the agreed timescale or if issues recur, we will write to you via email outlining the problem, how we want it resolved, and the consequences if they are not.

Failure to meet these resolutions could result in the termination of the team member's agreement with BYF.

Issues between team members

If a member of the BYF team has an issue that concerns another member of BYF team, they should follow the procedure below:

1. Talk to that person first and try to sort out the problem informally.
2. If this is not appropriate, they should raise the issue with one of the trustees. The trustee will attempt to resolve the issues informally using open communication.
3. Should informal resolution not be possible or successful, the trustee will investigate the issue, and discuss with the member of the team what action, if any, to take. Whenever possible, an answer will be given within 5 working days of the matter being discussed. If the member of staff agrees with the proposals made, this will be the end of the matter. Should a joint agreement not be possible the trustee's decision is final.

Dealing with bigger issues

In instances of a more serious incident such as dishonesty, misappropriation of monies, racist or sexist behaviour, racial or sexual harassment, violence, breach of confidentiality or wilful damage to BYF property or reputation, the team member may have their agreement terminated without notice.

If a member of the team is felt by the trustees to have behaved in a way that

- (i) might be deemed to be inappropriate to the aims and ethics of BYF, and/or
- (ii) might be considered to have brought BYF into disrepute, action will be taken, as per the procedure outlined below;

1. The team member will be removed from all duties and the BYF trustees will launch an investigation. The team member will be given the opportunity at this point to defend or explain any behaviour that has been deemed inappropriate.

2. A decision will be made by the trustees as to whether the team member continues their role with BYF and under what circumstances.

If the member of staff's conduct or performance continues to be unsatisfactory, the team member's agreement may be terminated without notice by BYF.

The trustee's decision in these matters is final and discussion will not be entered into once the decision is made. Serious incidents will be reported to the Charity Commission in line with their reporting procedures.

6. Confidentiality Policy

This policy relates to the respectful way we intend to treat any private information we collect and hold on individuals, “the confidential information”. Confidentiality information will include all data and information relating to the business and management of BYF and includes information about individuals (BYF team, partners, service users, students) that is personal to them. It may be written, spoken or electronic and may include (but is not limited to):

- Telephone conversations
- Medical information
- Personal financial information
- Emails
- Contact details
- Intake forms
- Accounting records
- Work product
- Other proprietary data
- Business operations
- Marketing and development operations
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The Confidential Information will also include any information that has been disclosed by a third party to BYF and is governed by the Data Protection Act or by a non-disclosure agreement entered into between that third party and BYF.

The Confidential Information will not include information that:

1. Is generally known in the industry;
2. Is now or subsequently becomes generally available to the public through no wrongful act of any individual;
3. Was rightfully in the possession of the BYF team member prior to the disclosure to the team member by BYF;
4. Is independently created by the team member without direct or indirect use of the Confidential Information; or
5. The team member rightfully obtains from a third party who has the right to transfer or disclose it.

The Confidential Information will also not include anything developed or produced by the team member during the term of engagement with BYF, including but not limited to, any intellectual property, process, design, development, creation, research, invention, know-how, trade name, trade-mark or copyright that:

1. Was developed without the use of equipment, supplies, facility or Confidential Information of BYF;
2. Was developed entirely on the team member's own time;
3. Does not result from any work performed by the team member for BYF; and
4. Does not relate to any actual or reasonably anticipated business opportunity of BYF.

Confidentiality Procedure

Personal information about individuals is held on trust by BYF. It should not be discussed outside BYF or in general conversation and must not be used by individuals associated with BYF for their own purposes. The team member agrees and acknowledges that the Confidential Information is of a proprietary and confidential nature and that any disclosure of the Confidential Information to a third party in breach of these policies and procedures. The exception to this is if you suspect that harm may come to someone by not disclosing confidential information. For example, if someone lets you know that they are feeling suicidal or someone they know is being abused or is in danger or harm it is your responsibility to pass this information on to someone who can act. Please refer to safeguarding policy. BYF expect that all members of the team fully understand and support the need for confidentiality.

All members of the team must take personal responsibility for not breaching confidentiality. BYF comply with the Data Protection Act 2018, which makes it unlawful to disclose information about individuals associated with BYF. However, sharing information within BYF, as required and as necessary to carry out our services and to comply with BYF policy, and/or in order to comply with the law, does not breach confidentiality. The team acknowledge and agrees that all rights, title and interest in any Confidential Information will remain the exclusive property of BYF. Accordingly, the team member specifically agrees and acknowledges that he/she will have no interest in the Confidential Information, including, without limitation, no interest in know-how, copyright, trade-marks or trade names, notwithstanding the fact that the team member may have created or contributed to the creation of the Confidential Information.

The team waives any moral rights that they may have with respect to the Confidential Information and agree to immediately disclose to BYF all Confidential Information developed in whole or in part by an individual team member during the term of their engagement with BYF.

If you feel you have breached confidentiality or need support about a confidential matter, please speak to an BYF trustee who will be happy to chat this through with you. On request or the termination of engagement between BYF and a team member, the team member will turn over to BYF all Confidential Information belonging to BYF, including but not limited to, all documents, plans, specifications, computer media, as well as any duplicates or backups made of that Confidential Information in whatever form or media, in the possession or control of the team member that:

1. May contain or be derived from ideas, concepts, creations, or trade secrets and other proprietary and Confidential Information as defined in this Agreement; or
2. Is connected with or derived from the team member's employment with BYF.

Photos, videos and social media

Taking photos or video without consent of anyone who could be identified is strictly prohibited in any outreach settings. This includes photos or video you wish to keep personally or to post on any social media channel. Occasionally the written permission will be gained from outreach students to take photos but this must be cleared with the trustees. Photos or videos of non-outreach students are permitted with verbal permission gained from the students, but we ask that photos are not taken during class, as this is contrary to our mission to offer a safe and therapeutic environment in all our classes.

7. Data Protection Policy

Purpose

This Notice outlines the data protection policies and procedures we have adopted and to which we abide to ensure we are GDPR compliant. The purpose of this Notice and any other documents referred to in it, is to clearly list and identify the legal requirements, procedures and rights which must be established when we obtain, process, transfer and/or store your personal data. This Notice will assist you in understanding the obligations, responsibilities and rights which arise from the Data Protection Laws.

Introduction

Everyone has rights with regard to the way in which their personal data is handled. In order to operate efficiently we need to collate and use information about the people with whom we work. This includes current, past and prospective employees, clients, and others with whom we communicate.

We regard the lawful and correct treatment of personal information as integral to successful operation and to maintaining the confidence of the people we work and communicate with. To this end we fully endorse and adhere to the principles of the relevant Laws.

We are registered as a Data Controller on the Register kept by the Information Commissioner's Office.

Definitions in this Privacy Policy

Data: Information stored electronically, on a computer, server or in certain paper-based filing systems.

Data Controller: Brighton Yoga Foundation has determined the purposes for which, and the manner in which, your Personal Data is processed. The Data Controller has overall responsibility for compliance with the Data Protection Laws. Any questions about the operation of this Notice or any concerns that the Notice has not been followed should be referred in the first instance to Brighton Yoga Foundation.

Privacy Manager: Camille Pierson is the appointed officer who is responsible for awareness-raising, training staff and informing and advising the Data Controller, Data Processors and Data Users how to ensure compliance with the enactments, and to monitor that compliance. She can be contacted at *the email address:* relax@brightonyogafoundation.org

Data Processor: Any person or organisation that is not a Data User that processes personal data on our behalf and in accordance with our specific instructions. Our staff will be excluded from this definition but, the definition could include suppliers who handle personal data on our behalf.

Data Subjects: All living individuals about whom we hold Personal Data. All Data Subjects have legal rights concerning the processing and storage of their personal information.

Data users: Any subcontractor whose work involves processing your Personal Data. Data users are responsible for the proper use of the data they process and must protect the data they handle in accordance with this Notice.

the Enactments: The Data Protection Act 1998 (the Act) up to and until 25 May 2018 after which The General Data Protection Regulations 2017 (GDPR) will apply, both of which regulate the way in which all Personal Data is held and processed.

Personal Data: Information which can be used to directly or indirectly identify a living individual.

Processing: Any activity in which the data is used, including (but not limited to) obtaining, recording, organising, amending, retrieving, using, disclosing, erasing, destroying and/or holding the data. The term “processing” also includes transferring personal data to third parties.

Supervisory Authority: The Authorised Body which is empowered to govern and manage how the GDPR is implemented and abided by in a particular EU state. In the case of the UK the Supervisory Authority is the: Information Commissioner’s Office.

Sensitive Personal Data:

This includes information about a person’s race, ethnicity, political opinions, convictions, religion, trade union membership, physical and/or mental health, and sexual preference. Sensitive personal data can only be processed with the express written consent of the person concerned

Notice Statement

In accordance with the GDPR (enshrined within the Data Protection Act 2018) anyone processing Personal Data must comply with the six principles of good practice. These provide that Personal Data must:

1. be processed fairly, lawfully and transparently;
2. only be used for the purpose for which it was collected;
3. be adequate, relevant and not excessive for the purpose for which it is being processed;
4. be accurate and kept up-to-date;
5. not be kept longer than necessary to fulfil the purpose of its collection; and
6. be kept secure and protected from unauthorised processing, loss, damage or destruction [
7. Fair, Lawful and Transparent Processing

For Personal Data to be processed lawfully, the basis for the processing must be one of the legal grounds set out in the Enactments. These include, among other things, your written consent to the processing, or that the processing is necessary for the performance of our wellbeing contract with you.

In the event we collect Personal Data directly from you, this Notice should assist in informing you about:

- The purpose or purposes for which we intend to process your Personal Data.
- The types of third parties, if any, with which we may share or disclose your Personal Data.
- The means with which you can limit our processing and disclosure of your Personal Data
- If we receive Personal Data about you from other sources, we will provide you with this information as soon as possible thereafter.
- When sensitive personal data is being processed, additional conditions and securities must be in place to ensure protection.

Processing for Limited Purposes

In the course of our business, we shall process the Personal Data we receive directly from you (for example, by you completing forms, sending us papers or from you corresponding with us by mail, phone, email or otherwise) and your Personal Data which we receive from any other source.

We shall only process your Personal Data to fulfil and/or enable us to satisfy the terms of our obligations and responsibilities in our role as your wellbeing centre or for any other specific purposes permitted by the Enactments. Should we deem it necessary to process your Personal Data for purposes outside and/or beyond the reasons for which it was originally collected, we will contact you first, to inform you of those purposes and our intent and may also apply for your consent.

Adequate, Relevant Non-Excessive Processing

We will only collect and process your Personal Data as required to fulfil the specific purpose/s of our contract and agreements with you.

Accurate and up to date data

We shall ensure that all Personal Data held is accurate and up to date and will check the accuracy of any Personal Data at the point of collection and at regular intervals afterwards. If you become aware that any of your Personal Data is inaccurate, you are entitled to contact us and request that your Personal Data is amended. We will take all reasonable steps to destroy or amend inaccurate or out-of-date data.

The Timely Processing of the Data

We will not keep Personal Data longer than is necessary for the purpose or purposes for which it was collected. Once Personal Data is no longer required, we will take all reasonable steps to destroy and erase it.

Keeping Your Personal Data Secure

Our employees, volunteers and contracted personnel are bound to our privacy policies and technologies which maintain the security of all your Personal Data from the point of collection to the point of destruction.

We maintain data security by protecting the confidentiality, integrity and availability of your Personal Data, and when we do so we abide by the following definitions:

Confidentiality: We ensure that the only people authorised to use your personal data can access it.

Integrity: We will make certain that your Personal Data is accurate and suitable for the purpose for which it is processed.

Availability: We have established procedures which mean only our authorised Data Users should be able to access your Personal Data if they need it for authorised purposes.

We also maintain security procedures which include, but are not limited to:

- Secure lockable desks and cupboards. Desks and cupboards shall be kept locked if they hold your personal data.
- Methods of disposal. Paper documents containing Personal Data are shredded and digital storage devices shall be physically destroyed when they are no longer required.
- Data Users shall be appropriately trained and supervised in accordance with this Notice which include requirements that computer monitors do not show confidential information to passers-by and that Data Users log off from or lock their PC/electronic device when it is left unattended.
- Our computers have appropriate password security, boundary firewalls and effective anti-malware defences. We routinely back-up electronic information to assist in restoring information in the event of disaster and our software is kept up-to-date with the latest security patches.
- One or all of the following measures shall be applied to the personal data held; separating the personal data and/or pseudonymisation and/or the encoding of the data
- Our Privacy Manager will ensure that this Notice is kept updated in response to any amendments to the Law.

We shall take appropriate security measures against unlawful and/or unauthorised processing of personal data, and against the accidental loss of, or damage to, your Personal Data.

We shall only transfer your Personal Data to a Data Processor (a Data User outside our business) if the Processor agrees to comply with our procedures and policies, or if the Processor puts in place security measures to protect Personal Data, which we consider adequate and are in accordance with the Enactments.

Transferring the Personal Data out of the EEA

We shall only transfer any Personal Data we hold to a country outside the European Economic Area (“EEA”), if one of the following conditions applies:

- The country to which your Personal Data shall be transferred ensures an adequate level of protection and can ensure your legal rights and freedoms.
- You have given your consent that your Personal Data is transferred.
- The transfer is necessary for one of the reasons set out in the Enactments, including the performance of a contract between you and us, or to protect your vital interests.
- The transfer is legally required on important public interest grounds or for the establishment, exercise or defence of legal claims.
- The transfer is authorised by the ICO and we have received evidence of adequate safeguards being in place regarding the protection of your privacy, your fundamental rights and freedoms, and which allow your rights to be exercised.

The Personal data we hold may also be processed by staff operating outside the EEA who work for us or for one of our suppliers. Those Data Users may be engaged in, among other things, the fulfilment of contracts with you, such as the processing of payment details and/or the provision of support services.

How We Will Use Your Personal Data

We will only collect and process your Personal Data to the extent that it is needed to fulfil our operational and contractual needs or to comply with any legal requirements.

We shall access and use your Personal Data in accordance with your instructions and as is reasonably necessary:

- to fulfil our contractual obligations and responsibilities to you;
- to provide, maintain and improve our bookkeeping services;
- if we intend to use your personal data for the advertising and marketing of our services and/or the services of our affiliates. We shall seek your separate express consent and you are entitled to opt out of these services at any time; and
- to respond to your requests, queries and problems;
- to inform you about any changes to our services and related notices, such as security and fraud notices.

When We May Share Your Personal Data

There are times when we may need to share your Personal Data. This section discusses how and when we might share your Data.

In the course of us fulfilling our role as your wellbeing centre it will be necessary for us to disclose your Personal Data in certain situations:

- In our role as your wellbeing centre, we may need to share your Personal Data with certain bodies to fulfil our contract with you such as your suppliers, contractors and sub-contractors, HMRC, ICB and other governmental, regulatory bodies.
- We use Xero software to process electronic data. This provider states that they are GDPR compliant and/or applies equivalent/adequate safeguards.
- There may also be situations in which it is necessary for us to disclose your Personal Data to other third parties, which include but are not limited to: HMRC & Companies House.
- If we are under a duty to disclose or share your Personal Data in order to comply with any legal obligation, lawful requests, court orders and legal process.
- To enforce or apply any contract or other agreement with
- To protect our rights, property, or safety and that of our employees, members, or others, in the course of investigating and preventing money laundering and fraud.

Your Rights and Requests Concerning Your Personal Data

We will process and manage all your Personal Data in line with your rights to:

- request access to any data we hold about you;
- prevent the processing of your Personal Data for direct-marketing purposes, if so instructed;
- ask to have inaccurate Personal Data amended;
- be forgotten, and have all relevant Personal Data erased (subject to our overriding legal obligations);
- prevent processing which is likely to cause damage or distress to you or anyone else;
- request certain restrictions on the processing of your Personal Data;
- receive a copy of your Personal Data and/or request a transfer of your Personal Data to another Data Controller;
- not be subject to automated decision making;
- be notified of a data security breach which affects your rights and freedoms, without undue delay;
- if you have provided your express consent that your Personal Data may be processed for marketing and advertising purposes, you are entitled to withdraw that consent. Such a withdrawal will not affect any processing of the data completed before consent was withdrawn; and
- to make certain requests to us concerning how your Personal Data is managed.

Access and portability requests

You are entitled to request access to your Personal Data unless providing a copy would adversely affect the rights and freedoms of others.

You can also request information about the different categories and purposes of data processing; recipients or categories of recipients who receive your Personal Data, details on how long your Personal Data is stored for, information on your Personal Data's source and whether the Data Controller uses automated decision-making.

You also have “Data Portability” rights which includes the right to request a copy of your Personal Data be sent to you or transmitted to another Data Controller.

Correction requests

You are entitled to request we correct or complete your inaccurate or incomplete Personal Data without undue delay and we will update the information and erase or correct any inaccuracies as required.

Erasure requests

You can exercise your “right to be forgotten” and can request we erase your Personal Data. Once receiving a request, we must erase the Personal Data without delay, unless an exception applies that permits us to continue processing your data. Details of such exceptions are contained in the Enactments and include situations where we might need to retain the information to carry out our official duties and/or comply with legal obligations and/or for the establishment of exercising or defending legal claims, or it is in the public interest to retain your Personal Data.

Restriction requests

You may request restrictions be applied to the processing of your Personal Data for some specific reasons such as you contest the accuracy of the data, the processing is unlawful or if we no longer need to process your Personal Data. You can also request restrictions be applied if the processing is being done for public interest or third-party reasons.

If such a request is received, we can continue to store your Personal Data, but may only process it under certain circumstances, such as: you give consent for us to continue processing your data, we need to establish, exercise, or defend legal claims or we need to protect the rights of another individual or legal entity or for important public interest reasons.

Objection requests

You may also object to your Personal Data being processed under certain circumstances, including for direct marketing purposes and profiling related to direct marketing.

If we receive such an objection, we will stop processing your Personal Data unless we can show a compelling legitimate ground for processing your Personal Data which overrides your interests and the basis of your request.

Your Telephone Queries and Requests

When receiving telephone enquiries, in which Personal Data is requested we will only verbally disclose Personal Data held on our systems if we can confirm the caller’s identity so as to ensure that the data is only given to a person who is entitled to receive it.

We may suggest that a caller put their request in writing to assist in establishing the caller’s identity, and to enable us to clearly record the nature of the request and to assist in further identity checks.

If we have reasonable doubts about the identity of the person making the request, we may request additional information to confirm the caller's identity.

In difficult situations our Data Users may refer a request to their line manager for assistance.

Your Written Queries and Requests

When responding to written requests Personal Data will only be disclosed if we can confirm the identity of the sender and/or sufficient supporting evidence is provided by the sender establishing their identity.

Responding to Your Requests

Upon receiving a request from you concerning your Personal Data, we will respond within one month of receiving the request by email (unless you request a response in an alternative format).

If we are unable to immediately comply with your request, we will inform you within our response stating whether we need to extend our response time (for up to a maximum of two months), along with an explanation for the delay.

If we do not take any action within one month after receiving your request, you are entitled to request an explanation from us as to why no action was taken and you may make a complaint to the ICO: Information Commissioner's Office – casework@ico.org.uk

When responding to Personal Data requests if the requests are manifestly unfounded or excessive, particularly if it is repetitive in which case we may refuse to act on the request, or apply further fees to cover the associated administrative costs.

Your Complaints

If you feel that your questions or concerns regarding your Personal Data have not been dealt with adequately or that your request has not been fulfilled by us, you can use our complaints procedure, by emailing us at relax@brightonyogafoundation.org

If, at the conclusion of our complaints procedure you do not feel that we have adequately dealt with your complaint you may make a complaint directly to ICO: Information Commissioner's Office casework@ico.org.uk

Changes to our Data Protection Policy

We keep our privacy policy under regular review and reserve the right to amend and update the policy as required. Where appropriate, we will notify you of those changes by mail, email and/or by placing an updated version of the policy on our website.

8. Safeguarding Policy

This policy outlines how Brighton Yoga Foundation will ensure that the safety of these people is paramount and that we adhere both to legal requirements and to high ethical standards in all the services we provide. The purpose of this policy is to make sure that the actions of any adult in the context of the work carried out by Brighton Yoga Foundation are fully transparent, and safeguard and promote the welfare of all those we work with. This policy has been agreed by the Brighton Yoga Foundation trustees and all trustees are bound by it. The trustees will appoint a named trustee to lead on all practical aspects of the implementation of this policy.

Objectives

In order to provide safety, protection and security to children, teenagers and vulnerable adults throughout our services, we will adhere to our child and vulnerable adult protection policy/statement and:

- Ensure that the welfare of young people and vulnerable adults is of primary concern at all times;
- Protect all children and vulnerable adults from abuse, whatever their age, culture, disability, gender, language, ethnic or racial origin, socio-economic status, religious beliefs or sexual identity;
- Raise awareness of child and vulnerable adult protection issues and promote good practice;
- Conduct risk assessments to minimise potential hazards to children's and vulnerable adults' welfare
- Provide support to participants in our classes/events who have been abused and act proactively by preventing any similar incidents through risk assessment;
- Ensure all those involved in providing BYF services fully understand their responsibilities and are provided with the appropriate training and regular updates of legislation;
- Respond swiftly and appropriately to any incidents of alleged poor practice, misconduct and abuse;
- Process all personal data in accordance with the requirements of the Data Protection Act 1998.

Personnel Recruitment

For all those yoga activities which we provide for children, teenagers or vulnerable adults, we will ensure that we only recruit teachers who have:

- Appropriate advanced specialist training for the specific client group – children, teenagers, adults recovering from trauma and abuse, those with mental health issues etc;
- All necessary and appropriate Disclosure and Barring Service (DBS) checks
- References from a previous employer where they worked with such client groups;
- Demonstrated an ability to work safely and show appropriate levels of empathy with the client groups;
- And in general, prior experience of teaching such client groups.

BYF will ensure that all the teachers that we engage for these classes, events or courses have read and agreed to abide by this policy. We aim to establish and maintain a register of appropriately trained and DBS-checked yoga teachers to carry out work with these client groups.

DBS Requirements for BYF teachers

- All teachers providing classes for BYF must provide their own up to date basic DBS check.

- Secure and therapeutic host organisations (e.g. Mill View) may request that teachers have enhanced checks. In this instance, the host organisation will pay for and process the check.
- Teachers involved in the Young People’s Project are required to have an enhanced check and BYF will process and pay for this if, required, via Safety Net- an umbrella organisation that serves charities in Brighton and Hove.
- Scans of all these certificates should be sent to the outreach coordinator prior to hosting any class and stored with numbers and dates recorded on a spreadsheet. These should be reviewed every two years and the outreach team will contact teachers when they need to refresh their certificates. Teachers applying for enhanced checks will be encouraged to sign up for the automatic renewal service (this is not available for basic checks).

Allegations Reporting

Any allegations of inappropriate or abusive behaviour against children teenagers or vulnerable adults by teachers supplied by the Brighton Yoga Foundation will be taken extremely seriously and dealt with as soon as practicable, in line with this child and vulnerable adult protection policy. We will publish this policy on our website and make clear how any such allegations can be safely reported.

The nominated lead trustee in this area is Melanie Spencer will be responsible for conducting any investigation into such allegations. Throughout this procedure, records will be maintained and kept securely and confidentially, separately from the learners’ file.

The nominated lead trustee will make a report to the authorities on any allegation, which places a child or vulnerable adult in danger, this will include reporting responsibilities with reference to the Pan- Sussex Child Protection & Safeguarding Procedures and the Local Area Designated Office (LADO) if required – see note below for further details

A note on the Local Area Designated Officer

The Local Authority Designated Officer (LADO), has overall responsibility for the management of allegations of Abuse against Adults who work with Children. The LADO provides advice and guidance, liaises with the Police, Social Care Teams, regulatory bodies such as Ofsted and other organisations as needed and ensures a consistent, fair and thorough process for both child and adult.

The LADO will provide advice, guidance and help to determine whether a concern or allegation sits within the scope of safeguarding procedures. They have responsibility for ensuring the workforce is safe by managing allegations of abuse or misconduct of professionals working with children, offering advice and making referrals to the relevant bodies as appropriate.

9. Volunteering

This policy seeks to define the role of the volunteer, to ensure that all volunteers are treated fairly and equally and to outline our basic requirements for volunteers.

All BYF team members are responsible for ensuring that the principles of the volunteer policy are applied within their area and are required to adhere to its terms and conditions.

Volunteers

Are individuals who give their time up freely for BYF. The main use of volunteers is for the Brighton Yoga Foundation.

Unplanned absence

If unavoidable circumstances occur last minute meaning you are unable to fulfil your teaching or volunteer commitments please follow the procedure below to ensure the trustee overseeing the class and the partner organisation are informed.

1. Let the associated trustee know via mobile and email.
2. They will arrange cover or cancel the class as appropriate and alert the partner organisation/client.

How We Recruit Volunteers

Generally speaking, we will advertise for volunteers – either through social media & our website, or via meetings and events we have organised and personal contacts. We will also try within our community outreach work, to find people from those target groups who may be willing to become volunteers. In all cases, the prospective volunteer will be contacted and their skills/availability clarified prior to their recruitment. Where the work involves any degree of sensitivity (e.g. involving finances, or working with vulnerable people) the volunteer will be interviewed by a trustee or someone with appropriate experience delegated by them. Where volunteers are likely to be working with vulnerable persons, we will ensure that we see their DBS certificate if required and obtain two suitable references.

Volunteer agreement

Each volunteer will be given a volunteers' agreement to sign and a copy of the policies and procedures. For some volunteer roles a DBS check and references will be required; this will be determined by trustee leading on volunteers.

The agreement will also specify experience/skills required, the area(s) of work and make it clear that the role is unpaid, but detailing what expenses may be claimed for while undertaking the work for us and other ways in which their help might be modestly acknowledged (e.g. giving Festival volunteers free meals). It will also outline our responsibilities to the volunteer explaining clearly their reporting lines and any review process. It will also show how we will keep them safe, how we will communicate with them (including how they can feed back to us on their experience), and how we will support them and recognise their contribution.

We will offer to provide basic “references” (ie confirmation of duties/dates etc) for those volunteering with us to future employers and volunteering agencies.

How We Manage Volunteers

We need to recognise clearly that volunteers are a great way to help organise our work. But they are also a responsibility and it takes time to involve volunteers properly and in a way that is mutually beneficial and not exploitative. BYF will nominate a trustee to take the lead on volunteers and develop a register of volunteers with their personal details, availability and skills/expertise. Currently the Chair is the trustee for volunteering and the register is kept by the secretary.

10. Teachers Policy

This policy seeks to define the role of the teacher, to ensure that all teachers are treated fairly and equally and to outline our basic requirements for teachers.

BYF trustees are responsible for ensuring that the principles of the teacher's policy are applied within their area and are required to adhere to its terms and conditions.

BYF seeks to encourage teachers to:

- offer inclusive, safe spaces
- act with unconditional positive regard
- help BYF to achieve its mission, aims and objectives
- raise awareness of the benefits of yoga and mental health issue to the wider community
- support other team members in their roles

This Teaching policy operates according to the following principles:

Teachers should;

- be safe at all times
- feel able to ask for support from fellow team members should they require it
- have the right to fair working conditions, hours of work and rates of pay

On-going Support

We recognise that teaching, and in particular outreach teaching can at times be stressful. If you are feeling upset, overwhelmed or distressed by your role please speak to a trustee. The mechanisms in place to support the team include:

- Debriefing support so that team members can reflect on the issues they have dealt with.
- Peer support
- Seeking further support as appropriate e.g., access to counselling or supervision.

We actively encourage any member of the BYF team to talk about anything they find difficult whether it has happened that day or on another BYF occasion. It is really important to us that the BYF team do not 'take anything home' by way of pressure or negative feelings. We also appreciate that sometimes feelings and emotions take some time to surface so – if you are an BYF team member and you find you have reoccurring thoughts or feelings about something that has taken place during BYF time, please do talk to one of the trustees about it.

Supervision and peer support

BYF encourages peer support through the regular bringing together of the BYF team. Should any teacher like to organise regular one to one supervision with one of the BYF trustees they are welcome to speak to them to arrange.

11. Recruitment, Training and Induction

Induction and Training Policy

BYF is committed to the safe induction and training of its team members and we recognise our role in maintaining appropriate policies and procedures to ensure the safe, ethical and legal running of the organisation.

Induction and Training Procedure

New team members will be given copies of all BYF Policies and Procedures before commencing work. They will also have the chance to discuss all relevant policies relating to the role. If a teacher's risk assessment has been required and drawn up then teachers will also be asked to familiarise themselves with it.

Induction procedure for new teachers

1. Given copies of documents, as follows:

- Invoicing template if required
- Policies and procedures
- Risk assessment (if required and available)
- Teachers' agreement
- Teachers' handbook

2. Get copies of insurance docs, certificates and DBS check and completed teaching agreement and these are stored with trustee for outreach.

3. Add biography and image to website

Recruitment of Teachers

Teachers will be recruited by completing an application form and this will be followed up with a meeting with a trustee. Potential teachers will be given all the appropriate information with regard to BYF's aims, objectives, activities and available opportunities. Should both parties wish to go ahead, an agreement on the amount of time and or tasks/role description will be agreed and both parties will sign an agreement outlining each role. All teachers and volunteers will follow the Safe Induction procedure outlined below.

All BYF team members will also be asked to sign the teachers' agreement or the which includes confirmation of having read and understood the safeguarding policy and procedure.

All new teachers, employees or volunteers will have an opportunity to discuss these documents with a trustee and the Safeguarding Procedure.

They will be given clear instructions on (where applicable) how to invoice and will also have the opportunity to understand the structure of the organisation and to whom they should report to with any issues, questions or queries.

Qualifications and Checks

Where necessary they will be required to show proof of relevant and up to date qualifications and insurance and may also be required to have an enhanced Disclosure check (if working with vulnerable adults or children). For earning members, this will be at their expense.

DBS Requirements for BYF Teachers

- All teachers providing classes for BYF must provide their own up to date basic DBS check.
- Secure and therapeutic host organisations (e.g. Mill View) may request that teachers have enhanced checks. In this instance, the host organisation will pay for and process the check.
- Teachers involved in the Young People's Project are required to have an enhanced check and BYF will process and pay for this if, required, via SafetyNet - an umbrella organisation that serves charities in Brighton and Hove.
- Scans of all these certificates should be sent to the outreach coordinator prior to hosting any class and stored with numbers and dates recorded on a spreadsheet. These should be reviewed every two years and the outreach team will contact teachers when they need to refresh their certificates.

Teachers applying for enhanced checks will be encouraged to sign up for the automatic renewal service (this is not available for basic checks).

12. Review and updating

It is the responsibility of the Board of Trustees to review and update these policies and procedures at least every two years or when a change in law or regulation requires amendment.

Last review date – January 18th 2022

DBS requirements added to Safeguarding Policy and Teacher's Policy

The current named person responsible for review is Chair