

The Friends of Southwark Park Code of Conduct (“Code”)

Please also see our constitution

Authority:

The Friends of Southwark Park trustees are the people who share ultimate responsibility for governing the organisation and directing how it is managed and run. Patrons are not trustees.

(see <https://www.gov.uk/government/publications/the-essential-trustee-what-you-need-to-know-cc3>)

The Friends of Southwark Park trustees have a duty to administer Friends of Southwark Park on behalf of our members and for the public benefit and to achieve our charitable objects. Our trustees have a Duty of Care to operate in good faith to ensure Friends of Southwark Park is well-run, efficient, efficient, and economic.

Our trustees may from time to time make such reasonable and proper rules / Codes of Conduct as they may deem necessary or expedient for the proper conduct and management of Friends of Southwark Park, but proper rules / Codes of Conduct must not be inconsistent with any provision of The Friends of Southwark Park constitution (including our objects and fair administration). The Friends of Southwark Park trustees automatically have this power, and an express power is not needed. Copies of proper rules / Codes of Conduct currently in force are available on our website www.southwarkpark.org.

You must agree to abide by the Constitution and any Codes of Conduct to join Friends of Southwark Park and this is clearly stated on our membership application form. Your relationship with The Friends of Southwark Park is a contractual one which carries with it legal, as well as conduct, obligations. Contravention of Friends of Southwark Park Constitution and any Codes of Conduct may result in your membership application being refused or termination of existing membership.

Application:

This Code applies to all The Friends of Southwark Park members, invited guests and anyone attending our meetings. This Code applies online and offline.

Members have the right to a private life however members must not engage in conduct outside of The Friends of Southwark Park work / activity which could damage our reputation and standing or trustee reputation or the reputation of our volunteers.

This Code sets out your obligations in conduct and the standards of behaviour expected of The Friends of Southwark Park members (and non-members and public attending our meetings or events). This Code aims to ensure that everyone observes, practices, and complies with the highest standards of propriety and acts in the best interests of The Friends of Southwark Park, our members and the public interest at all times. Fiduciary duties arise from The Friends of Southwark Park roles and obligations to others. No Code can foresee or address every issue or ethical dilemma which may arise. You must strive to uphold the intention of the Code as well as its letter.

The Friends of Southwark Park objects are for the benefit of the inhabitants of Southwark and the surrounding area to provide or assist in the provision of facilities in the interests of social

welfare for recreation or other leisure time occupation of individuals who have need of such facilities by reason of their youth, age, infirmity or disability, financial hardship or social circumstances with the object of improving their conditions of life in particular but not exclusively by the preservation, promotion, support, assistance and improvement of Southwark Park, King's Stairs Gardens Park, King George's Field Park, Neptune Street Park, Canada Water Dock basin, Surrey Docks Adventure Playground, and West Lane Memorial Gardens.

The General Data Protection Regulations came into effect in the UK on 25 May 2018, replacing the Data Protection Act 1998. We process your membership application and membership on the legal basis of legitimate interests and consent. If you do not agree to us processing your personal data by positively opting in (e.g., by ticking a box on the membership application form) will not be able to process your application form which will be destroyed securely after three months. If you do not agree to us processing your personal data by positively opting in (e.g., by ticking or otherwise marking a box or boxes on the membership application form) your membership may be suspended or terminate.

If a dispute arises between members of The Friends of Southwark Park about the validity or propriety of anything done by the members under this Code, and the dispute cannot be resolved by agreement, the parties to the dispute must first try in good faith to settle the dispute by mediation before resorting to litigation.

You must:

- a. **comply** with The Friends of Southwark Park constitution and Codes of Conduct and demonstrate proper personal behaviour and conduct;
- b. **behave** in a proper, lawful, and responsible manner when attending our meetings or working for (or with) The Friends of Southwark Park;
- c. **not** behave maliciously, frivolously or make vexatious complaints against The Friends of Southwark Park, our trustees, or our volunteers;
- d. **not** make trump up accusations / fake news against The Friends of Southwark Park our trustees, or our volunteers and you must ensure any reasonable accusations and concerns you raise are supported with material that reasonably shows, on the face of it, a case to answer;
- e. **not** send abusive, rude, or inappropriate emails or correspondence to our trustees, members or volunteers; or make unreasonable demands of our volunteers;
- f. **not** engage in party political activities when working for The Friends of Southwark Park which is strictly a non-party political organisation; (Members have a right to a private life and to engage in party political activities outside of The Friends of Southwark Park work and activity).
- g. **act** within the governing document constitution of The Friends of Southwark Park and the law, and abide by Friends of Southwark Park codes, policies and

procedures and proactively gain (have) a knowledge of Friends of Southwark Park codes, policies, and procedures;

- h. **acknowledge** and respect the views of fellow Friends of Southwark Park members and meeting attendees and not make derogatory, disparaging comments, false accusation and threats and you must maintain the right of others to express their own appropriate views in any meeting of the organisation or online (social media);
- i. **not** undermine the credibility and legitimacy of The Friends of Southwark Park or fundamentally weaken aspects of our work;
- j. **not** create or otherwise impose excessive and unreasonable amounts of work of any kind;
- k. **support** the objects and mission of The Friends of Southwark Park, championing it, using any skills or knowledge you have to further our objects. Trustees should seek regulated, insured professional advice where appropriate;
- l. **ensure** that you and The Friends of Southwark Park carries out its charitable objects and act in the best interests of Friends of Southwark Park;
- m. **not** seek to undermine, outside constitutional objects and procedures, agreed The Friends of Southwark Park policy, nor work against the interests of The Friends of Southwark Park, nor seek to bring The Friends of Southwark Park, its trustees, or its members into disrepute;
- n. **respect** the rights, dignity and worth of every person and recognise the rights of everyone to be treated as individuals and uphold the rule of law and the proper administration of justice;
- o. **help** create an environment where everyone has an equal opportunity to participate;
- p. **comply** with requirements set out in legislation - including the Equality Act 2010 - as well as the conduct duties contained in this Code of Conduct and other The Friends of Southwark Park policies including our Equality & Diversity policy;
- q. **not** harass, discriminate against, or oppress any group or individual by reference to a person's age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation, a person's socio-economic status or housing tenure, or any other grounds.
- r. **act** with integrity, openness, honesty, respect and treat others fairly and challenge any form of discrimination or prejudice;

- s. **not** attempt to deceive or knowingly or recklessly mislead The Friends of Southwark Park or our meeting attendees. Please do not knowingly give poor and incorrect advice to the organisation.
- t. **not** be complicit in another person deceiving or misleading Friends of Southwark Park or our meeting attendees;
- u. **help** create and maintain an environment free of fear and harassment and you must not discriminate unlawfully, or victimise or harass anyone, or practice bigotry;
- v. **not** make accusations in our meetings which lead to accusations of victimisation e.g., do not accuse a member of harassment which slanders them;
- w. **avoid** engaging in any behaviour that constitutes any form of abuse (verbal, physical, sexual, emotional abuse, neglect, bigotry or bullying) and must avoid giving offence;
- x. **not** allow your independence to be compromised, your independence and your professional judgement must not be prejudiced by virtue of any arrangement with another person;
- y. **act** in the best interests of The Friends of Southwark Park as a whole, and not as a representative of any group, clique, or cabal;
- z. **behave** in a way that maintains the trust the public places in Friends of Southwark Park and in the services we provide;
- aa. **not** make any allegation of fraud, unless you have material which you reasonably believe shows, on the face of it, fraud;
- bb. **not** suggest that any person is guilty of a crime, fraud, or misconduct unless such allegations are supported by evidence and reasonable grounds;
- cc. **not** publicly criticise or engaging in demeaning descriptions of others. You must not defame, slander or libel any member (or a member of the public attending one of our events / meetings) or bring The Friends of Southwark Park into disrepute;
- dd. **ensure** your publicity for The Friends of Southwark Park, or for any other business / venture in any way associated with Friends of Southwark Park, is accurate and not misleading, and is not likely to diminish the trust the public places in Friends of Southwark Park;
- ee. **not** take or publish photographs without our consent (and consent of any individual subject) at Friends of Southwark Park meetings or events;

- ff. **not** make any audio recordings, or take video or any other form of streaming / transmit / broadcast at Friends of Southwark Park meetings or events without The Friends of Southwark Park permission;
- gg. **submit** any complaints and suggestions you wish to make by e-mail/letter to the Secretary and not in person to trustees;
- hh. **not** misuse of alcohol or drugs at Friends of Southwark Park venues, meetings, or events;
- ii. **not** assault any trustee, member, guest, or member of the public at Friends of Southwark venues, meetings, or events;
- jj. **engage** in discussion, debate and voting in meetings in a considered and constructive way, listening carefully, challenging sensitively, and avoiding conflict;
- kk. **not** act, claim to act, or give the impression they are acting on behalf of The Friends of Southwark Park when undertaking any activity (for a third party, commercial or otherwise) unless authorised by Friends of Southwark Park;
- ll. **not** pass off or impersonate The Friends of Southwark Park.
- mm. **not** use or attempt to use any position improperly to confer on or secure for themselves or any other person, an advantage or disadvantage;
- nn. **not** gain materially or financially from my involvement with The Friends of Southwark Park unless specifically authorised to do so by The Friends of Southwark Park.

Any conduct that interferes with, obstructs, disrupts, or otherwise damages the purposes of The Friends of Southwark Park is not permitted. You understand that any breach of this code may result in you being asked to leave a venue, meeting / event or being ejected. If the Chair decides to eject you from a venue, meeting or event you agree to leave forthwith. You will accept the Chair's decision which is final. The Friends of Southwark Park will not tolerate our meetings being disrupted.

All meeting attendees must comply with any venue rules (usually displayed at the venue or provided on / attached to the venue booking form). Members must comply with this code when:

- attending The Friends of Southwark Park events;
- attending The Friends of Southwark Park meetings;
- corresponding with The Friends of Southwark Park;

when in the vicinity of any venue The Friends of Southwark Park is using (to hold any meeting or event);

contributing to media (local, national and international) (including social media);

Complaints and grievances

Anyone who has a complaint against another member, or The Friends of Southwark Park may contact info[at]southwarkpark.org. The Friends of Southwark Park undertake to make all reasonable steps to resolve the issue within 12 weeks. Malicious, frivolous or vexatious complaints will be dealt with on a case-by-case basis accordingly.

Action to be taken regarding misconduct

In the event that any member fails to comply with this Code of Conduct or conducts themselves in any manner deemed unreasonable, inappropriate, irresponsible, or unethical The Friends of Southwark Park reserves the right to suspend membership, terminate membership, refuse membership, or refuse renewal as set out in our constitution.

Code of Conduct for The Friends of Southwark Park trustees

This Code sets out the standards of behaviour expected of The Friends of Southwark Park trustees. The Code incorporates the Nolan principles of standards in public life. It aims to ensure that all observe the highest standards of propriety and act in the best interests of Friends of Southwark Park and its members;

1. Selflessness

Holders of public office should act solely in terms of the public interest.

2. Integrity

Holders of public office must avoid placing themselves under any obligation to people or organisations that might try inappropriately to influence them in their work. They should not act or take decisions in order to gain financial or other material benefits for themselves, their family, or their friends. They must declare and resolve any interests and relationships.

3. Objectivity

Holders of public office must act and take decisions impartially, fairly and on merit, using the best evidence and without discrimination or bias.

4. Accountability

Holders of public office are accountable to the public for their decisions and actions and must submit themselves to the scrutiny necessary to ensure this.

5. Openness

Holders of public office should act and take decisions in an open and transparent manner. Information should not be withheld from the public unless there are clear and lawful reasons for so doing.

6. Honesty

Holders of public office should be truthful.

7. Leadership

Holders of The Friends of Southwark Park office should exhibit these principles in their own behaviour. They should actively promote and robustly support the principles and be willing to challenge poor behaviour wherever it occurs.

<http://www.gov.uk/government/publications/the-7-principles-of-public-life/>

Respect

Trustees must treat each other with respect and courtesy and behave in a responsible manner in all dealings with the general public.

Commitment

You should be an active trustee, making your skills, experience, and knowledge available to The Friends of Southwark Park and seeking to do what additional work you can outside of trustee meetings, including contributing to committees or working groups where possible.

You should develop and maintain a sound and up-to-date knowledge of The Friends of Southwark Park, its constitution and relevant policies and procedures. This will include an understanding of how The Friends of Southwark Park operates, the social, technical, legal, political and economic environment in which it operates, and the nature and extent of its work.

You must attend all appropriate meetings and other appointments at The Friends of Southwark Park or give apologies. If you find that you cannot deal with business on a regular basis or will be unavailable to attend meetings for a period of six months or more, you should stand down or suggest other ways you can engage with The Friends of Southwark Park.

Trustees must devote sufficient time preparing for and attending meetings to ensure they add value to our work. You should do your utmost to prepare fully for all meetings and work for the organisation, including reading papers, querying anything you do not understand, thinking through issues before meetings and completing any tasks assigned to you in the agreed time. You should participate in decision-making processes that take place between meetings, including those via email, video conferencing or telephone.

You must accept your responsibility to ensure that The Friends of Southwark Park is well run and raise issues and questions in an appropriate and sensitive way to ensure that this is the case.

You must participate in collective decision making, accept a majority decision of the trustees and will not act individually unless specifically authorised to do so.

While you are a trustee you must keep your Friends of Southwark Park membership up to date.

Conflicts of interest

Trustees must identify and promptly declare any actual, potential, or perceived conflicts affecting them. They must absent themselves from any discussion where there is any such

conflict. You understand that a failure to declare a conflict of interest may be considered to be a breach of this code.

Probity

Trustees must comply with any rules including those relating to the acceptance of gifts and hospitality and the avoidance of activities which might compromise the Friends of Southwark Park position, reputation, and public standing.

Openness and accountability

You will respect organisational, committee and individual confidentiality, while never using confidentiality as an excuse not to disclose matters that should be transparent and open.

Trustees should be open, responsive, and accountable about their decisions, actions and work, including their use of The Friends of Southwark Park name and resources.

You will seek to be accountable for your actions as a trustee of The Friends of Southwark Park, and will submit yourself to whatever scrutiny is reasonably appropriate.

Where any person is behaving maliciously, frivolously or making vexatious complaints against The Friends of Southwark Park, or otherwise breaking this Code of Conduct, our trustees and volunteers do not need to engage or communicate with them.

Integrity

Trustees are required to use their knowledge, expertise and experience to take the best decisions they can in the interests of The Friends of Southwark Park. Trustees are equally responsible for all decisions. Trustees should also promote and support the principles of good governance by leadership and example and should act in an individual capacity and not as a representative of any group, organisation or individual.

You will act in the best interests of Friends of Southwark Park as a whole, and not as a representative of any group, clique or cabal – considering what is best for The Friends of Southwark Park and its present and future beneficiaries and avoiding bringing The Friends Of Southwark Park into disrepute.

Confidential information

Trustees must respect the status of confidential issues they read and discuss. They are bound to maintain the status of this material and any discussions.

Protection of confidential information exists as a concept both as a matter of law and as a matter of conduct. Keep the affairs of The Friends of Southwark Park confidential unless disclosure is required or permitted by law or Friends of Southwark Park consents.

Personal and commercial interests

Trustees must not benefit from their position. Trustees must take decisions solely in terms of The Friends of Southwark Park and public interest. Trustees must not use their position in order to gain financial or other material benefits for themselves, their family, their friends, or other Trustees.

Expense refunds of legitimate payments (which a trustee has had to meet personally in order to carry out his or her trustee duties) are permitted. Expense claims must be supported by bills or receipts, except where it is impractical to expect this. Reimbursement of trustees for purchases they have personally and properly made on behalf of the charity are not counted as expenses in the accounts and are accounted for as part of the charity's general expenditure (see <https://www.gov.uk/government/publications/trustee-expenses-and-payments-cc11/trustee-expenses-and-payments>)

Blank cheques

Michelle Russell, Head of Investigations and Enforcement at the Charity Commission, says:

“Our message to trustees is clear; do not sign blank cheques”

No member of Friends of Southwark Park is permitted to sign a blank cheque, receive a blank cheque or pay a blank cheque into their bank account.

Expectations of Friends of Southwark Park trustees

include:

Talk to the Chair before any meeting if you need to clarify anything;

Arrive on time. Stay to the end. Participate in the meeting;

Listen to what others have to say and keep an open mind;

Try to be concise and avoid soliloquies;

Do not engage in side conversations;

Have the best interests of the organisation in mind at all times;

Draw attention to any potential conflicts of interest that may arise in the meeting;

Fulfil any responsibilities assigned to you at the meeting and be prepared to report back on your progress at the next meeting.

Breaches of this code

You understand that any significant breach of this code may result in you being asked to resign. Please see out constitution.

If you wish to cease being a trustee of The Friends of Southwark Park at any time, you should inform the Chair in advance in writing, stating your reasons for leaving.

You confirm that after you have ceased being a trustee, for whatever reason, you will continue to respect organisational, trustees and individual confidences that you acquired during your trusteeship. You understand that the terms of this agreement that relate to confidentiality will continue to remain in effect even after you cease to be an active signatory.

You confirm that you are legally eligible to act as a Friends of Southwark Park trustee. You confirm that you:

are not disqualified to act as a company director;

do not have an unspent conviction for an offence involving dishonesty or deception (such as fraud);

are not an undischarged bankrupt (or subject to sequestration in Scotland), nor do you have a current composition or arrangement including an individual voluntary arrangement (IVA) with your creditors;

have not been removed as a company director or charity trustee because of misconduct or mismanagement;

If you become ineligible after appointment, or there is a real possibility that you may become so, you will immediately inform the Chair and if requested you will promptly stand down as a trustee.

You understand that while trustees acting competently and in good faith are not normally exposed to personal liability, there are circumstances in which the court may hold a trustee personally liable, including:

breach of trust under charity law - for example spending the charity's funds on an activity which is outside its legal objects, holding unreasonably speculative investments, engaging in non-permitted political activities;

breach of fiduciary and statutory duties - for example using the charity's assets to procure a benefit for a trustee, or making a loan to a trustee;

wrongful trading - continuing to trade where the board knew, or ought to have known, that the company is insolvent;

fraudulent trading;

acting as a company director when disqualified;

failure to comply with certain statutory requirements - for example in areas such as health & safety, data protection, trade descriptions, some employment laws;

Trustee Signature

Name

Date