



Invicta Jazz Orchestra (IJO) Constitution

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1. Band Name

The group shall be called Invicta Jazz Orchestra (IJO), hereinafter called the band.

2. Aims and objectives

The aims and objectives of the band will be:

To advance, improve, develop and maintain public education in and appreciation of, the art and science of music in all its aspects by any means the committee sees fit, including the presentation of public concerts.

To provide rehearsal facilities and coaching in the performance of big band jazz.

To further such charitable purposes as the committee in their absolute discretion shall think fit, but in particular through the making of grants and donations.

3. Membership

Membership will consist of officers and members of the band.

Any musician, of a suitable standard (about ABRSM grade 3) shall be eligible for membership. No other criteria will be used to judge any candidate's suitability for the band.

All present and future members will receive fair and equal treatment.

All officers and members will be subject to the regulations of the constitution and by joining the band will be deemed to accept these regulations and codes of practice that the band has adopted.

4. Membership fees

Membership fees will be set annually and agreed by the committee or determined at the annual general meeting.

Fees will be paid annually, in one or two (equal) instalments.



5. Officers of the band

The officers of the band will be:

Chairperson

Secretary

Treasurer

6. Committee

The band will be managed through the management committee consisting of the officers of the band, the Musical Director and committee members.

The management committee will:

- be responsible for adopting new policy, codes of practice and rules that affect the organisation of the band.
- be responsible for appointing the musical director; and for approving the musical director's fee.
- will have powers to appoint co-opt non-elected members, form subcommittees and appoint advisers to the management committee as necessary to fulfil its business.
- will be responsible for disciplinary hearings of members who infringe the band regulations or constitution. The management committee will be responsible for taking any action of suspension or discipline following such hearings.

The quorum required for business to be agreed at management committee meetings will be at least four of the elected officers.

All committee members will have the right to vote at meetings of the management committee.

In the event of a tied vote on any issue, the chairman will have a deciding vote.

All officers and members of the committee will resign at the AGM but will be eligible to stand for re-election should they wish. Officers and committee members will be elected to the vacant positions by the members of the band at the annual general meeting.



7. Finance

The income and property of the band, when so ever derived, shall be applied solely towards promoting the objects of the band, as set forth above and no portion thereof shall be paid or transferred either directly or indirectly to any member or members of the band, except in payment of legitimate expenses incurred on behalf of the band.

All band monies will be banked in an account held in the name of the band. The band treasurer will be responsible for the finances of the band.

The financial year of the band will end on 31 March.

A statement of annual accounts will be presented by the treasurer to the annual general meeting. The treasurer will make the accounting records which support the accounts available for inspection on request.

Any cheques drawn against band funds should hold the signatures of two out of three officers approved by the committee.

8. Annual general meeting

The annual general meeting (AGM) will normally be held in April.

Notice of AGM will be given to all members by the band secretary, not less than 14 clear days notice before the meeting.

The AGM will receive reports from the officers of the management committee and a statement of the accounts.

Elections of committee are to take place at the AGM.

All members have the right to vote at the AGM.

The quorum for AGMs will be 25% of the membership, or 10 members (including officers), whichever is the less.

The management committee has the right to call extraordinary general meetings (EGMs) outside the AGM. Procedures for EGMs will be the same as for the AGM.



9. Code of Conduct

Members have a right to:

- Be treated fairly, equally and with respect by the Committee and other members.
- Socialise and participate in an environment that is safe, positive and enjoyable, and free from all forms of harassment and discrimination.
- Privacy and confidentiality concerning records, documentation and any other communication containing a member's personal information, unless consent is otherwise provided.
- Be informed and actively involved in all band events and offerings.
- Voice their opinions, requirements and suggestions to the Committee.

Members must:

- Treat other members, guests, staff of venues and patrons fairly, equally and with respect and courtesy.
- Behave responsibly and ensure they conduct themselves in a manner which will not injure the reputation of the band, its events, organisers, participants or sponsors.
- Ensure the clubs ethos of commitment, loyalty, belief and respect is aspired to at all times
- Not physically or verbally harass others.
- Report any inappropriate behaviour of a member to the Committee for action and follow up.
- Abide by and uphold the Constitution and Code of Conduct.
- Notify the Committee Secretary of any changes to address or contact details.
- Behave in a professional manner, with no unnecessary talking or playing between numbers, during rehearsals and performances
- Ensure the welfare of any member under the age of 18 is safeguarded

Breaches of this Code of Conduct:

- Any member not behaving in accordance with the terms of the Code of Conduct at an event of the band may be asked to leave the function and will not be entitled to a refund of any monies paid.
- The inappropriate behaviour of any members will be investigated, discussed and an appropriate course of action will be taken by the Committee, which may include a reprimand, suspension or revocation of membership.

10. Privacy Policy

See Appendix 1

11. Child Protection Policy

See Appendix 2



12. Discipline and appeals

All complaints regarding the behaviour of individual members should be submitted in writing to the chairman or secretary.

The management committee will meet to hear complaints within 28 days of a written complaint being lodged. The committee has the power to take appropriate disciplinary action including the termination of membership.

The outcome of a disciplinary hearing should be notified in writing to the person who lodged the complaint and the member against whom the complaint was made within 7 days of the hearing.

There will be the right of appeal to the management committee following disciplinary action being announced. The committee should consider the appeal within 28 days of the secretary receiving the appeal.

13. Social media

Any materials, information or designs provided by members for the band's social or other media are freely donated for the band's use unless there is a contract in place to the contrary.

Any designs used to promote the band in any way (such as logos, t shirt designs, posters, flyers etc) should be approved by the committee first.

The band has its own official website (www.invictajazz.com), its own official Facebook page (the Invicta Jazz Orchestra), Twitter (@invictajazz) and Instagram (invictajazz) accounts. These are run on behalf of the band and overseen by the committee.

All files which have been sent to the band whether video, audio, graphic, photographs or written files and which are published on the website are freely donated for the band's use.

All files as above which have been initiated by the band for the website are the property of the band. Members may feel free to download them from the website for their own use but must ask permission from the committee if they wish to use them on their own social media pages or for commercial purposes.

Members may of course "like" and "share" Facebook posts on their personal Facebook page without consulting the committee.



14. Dissolution

A resolution to dissolve the band can only be passed at an AGM or EGM by a majority vote of the membership.

In the event of the band being wound up, any assets remaining on dissolution after the payment of proper debts shall be transferred to a charitable institution or institutions having similar objects to those of the band.

15. Amendments to the constitution

The constitution will only be changed through agreement by majority vote at an AGM or EGM.



Appendix 1 – Privacy Policy Guidance

What is this guide for?

Whenever we need to collect any of your data, we will let you at that point *why* we need to do so and *what* it will be used for, but this guide provides a useful overview of all of those situations and provides more detail on how we keep your data secure and up to date, how long we might hold it for, and what your rights are in relation to it.

Invicta Jazz Orchestra is committed to protecting your personal data and will use any personal or sensitive data we collect from you in line with the General Data Protection Regulations (GDPR).

Who's responsible for data the group collects?

Invicta Jazz Orchestra is a Data Controller under the GDPR. Invicta Jazz Orchestra's Data Protection Officer is the Chairperson.

What data do we collect and what do we use it for?

Invicta Jazz Orchestra collects data from individuals to help us plan, organise and run the day-to-day operations of the group (e.g. co-ordinating rehearsals or collecting subscription payments) and to promote and market the group's activities (e.g. marketing mailing lists and photography/video capture).

Members: for administering membership

When you join Invicta Jazz Orchestra as a member, or during your membership with us, we may need to collect some of the following information on you:

- Name
- Email address
- Phone number
- Address
- Photos/video footage

This data will be used by committee members to manage your membership with Invicta Jazz Orchestra and to organise and run our activities.

If you give us your consent to do so, we may also use your contact details to send you marketing/promotional communications from the group.

Any marketing/promotional communication we send you will include a clear option to withdraw your consent (e.g. to 'opt out' of future emails) and you can also withdraw consent at any point by contacting the Data Protection Officer – the Chair.



Event attendees: for processing and managing tickets for events

Where our events are ticketed, we need to collect data on the person booking (name and email) in order to allow you access to the event and to send you a confirmation of your reservation/purchase. This data will only be used for administering your access to the event/s for which you have booked and will *not* be used to send you marketing/promotional messages from the group unless you have also provided your consent to receive these (see below).

Employees and contractors: for administration and legal/regulatory purposes

We may need (for administration or for legal/regulatory reasons) to collect personal or sensitive data on employees or contractors of the group. Where this is the case, we will explain what this is for at the point of collection.

Mailing list subscribers: for marketing and promotion

We offer everybody the opportunity to sign up (consent) to receive marketing and promotional information on the group's activities (e.g. emails about forthcoming events).

When you sign-up to our marketing mailing list we will ask for your name and email address and will use this data to send you information about our events and activities (e.g. forthcoming performances, social events and fundraising events). We may also ask for your preferred topics and communication methods. These allow us to tailor the information we provide to suit your preferences (e.g. email vs post).

We will *only* send you information that is related to the group (e.g. we will *not* use your data to send you marketing messages from 3rd parties).

Anything we send you will include a clear option to withdraw your consent (e.g. to 'opt out' of future emails) and you can also do so at any time by contacting the Data Protection Officer – the Chair.

Website visitors: for running and improving our website

We use cookie technology when a person visits our website to collect and analyse *anonymised* data on how many people have visited, what pages they have looked at and other statistical information.

We use a pop-up banner to let users know about this on their first visit, and they can at any time disable cookies in their browser if they do not wish their (anonymised) data to be tracked.

You can find out more about cookies at <http://www.allaboutcookies.org/>

Do we share your data with anyone else?

We will never pass your details on to third parties for marketing purposes.

We sometimes use third party services to process your data (e.g. Dropbox, Google Drive). We will always make sure any third parties we use are reputable, secure, and process your data in accordance with your rights under GDPR.



Are there special measures for children's data?

Where we knowingly collect or store data of children under 13 we will ensure the person with parental responsibility for the child has seen the relevant information relating to the child data or has given consent on behalf of the child.

Once a child is over 13 years old, parental consent to use their data will no longer be sufficient. We will only continue to hold/use the data if the child *themselves* also gives their consent.

How can you update your data?

You can contact us at any time at invictajazzorchestra@gmail.com to update or correct the data we hold on you.

How long we will hold your data?

The Invicta Jazz Orchestra data retention policy is to review all data held on individuals at least every two years and remove data where we no longer have a legitimate reason to keep it.

Where you have withdrawn your consent for us to use your data for a particular purpose (e.g. unsubscribed from a mailing list) we may retain some of your data for up to two years in order to preserve a record of your consent having been withdrawn.

What rights do you have?

Under the GDPR, you have the following rights over your data and its use:

- The right to be informed about what data we are collecting on you and how we will use it
- The right of access - you can ask to see the data we hold on you
- The right to rectification - you can ask that we update or correct your data
- The right to object - you can ask that we stop using your data for a particular purpose
- The right to erasure - you can ask us to delete the data we hold on you
- The right to restrict processing - you can ask that we temporarily stop using your data while the reason for its use or its accuracy are investigated
- Though unlikely to apply to the data we hold and process on you, you also have rights related to portability and automated decision making (including profiling)

All requests related to your rights should be made to the Data Protection Officer at invictajazzorchestra@gmail.com. We will respond within one month.

You can find out more about your rights on the Information Commission's Office website

What will we do if anything changes?

If we make changes to our privacy statements or processes we will post the changes here. Where the changes are significant, we may also choose to email individuals affected with the new details. Where required by law, will we ask for your consent to continue processing your data after these changes are made.



Appendix 2 – Child Protection Policy

Introduction

The Invicta Jazz Orchestra, by accepting this policy document, have indicated its determination to ensure that children and young people can participate in all forms of band activity, and do so, with their safety being of paramount importance.

It is essential that this document is representative of a process of continual improvement in the area of child protection within the band. It is for all adults engaged in the band activities to promote good practice and procedures, whilst being ever vigilant and aware of their responsibilities towards the children and young people in their care.

All policies and procedures discussed below refer to vulnerable adults as well as to children.

Policy statement

The band is committed to the following:

- Making the welfare of young people paramount
- Ensuring opportunities for all young people, whatever their age, culture, disability, gender, language, racial origin, religious belief and/or sexual identity should be able to participate in the band in an enjoyable and safe environment.
- Taking all reasonable steps to protect young people from harm, discrimination and degrading treatment and to respect their rights, wishes and feelings.
- Taking action swiftly and appropriately to all suspicions and allegations of poor practice or abuse.

Terms and abbreviations

The following terms and abbreviations are used in this document.

- Anyone under the age of 18 is considered to be a child/young person.
- 'Parent' is used as a generic term to include parents, carers and guardians.
- 'Personnel' includes employees of the band as well as volunteers, members and all participants
- 'Welfare Officer' is the individual within the band whose responsibilities are explained in section 3.4 below.
- CPO: Child Protection Officer / DBS: Disclosure and Barring Service



Good Practice, Poor Practice and Abuse

To provide young people with the best possible experience and opportunities in the band everyone must operate within an accepted ethical framework and demonstrate exemplary behaviour. Not only will this allow the band to make a positive contribution to the development of young people and safeguards their welfare, but it also protects all personnel from the risk of false allegations of abuse or poor practice.

It is not always easy to distinguish poor practice from abuse, whether intentional or accidental. It is not therefore the responsibility of employees, members or participants in the band to make judgements about whether or not abuse is taking place. It is, however, their responsibility to identify poor practice and possible abuse and to act if they have concerns about the welfare of a child, as explained below. This section will help you identify what is meant by good practice, poor practice and abuse.

Good practice

All members should adhere to the following principles and actions;

- Before undertaking any activities involving young people, conduct a risk assessment to identify possible sources of danger and take appropriate action to minimise these risks
- Make the experience of the band fun and enjoyable; promote fairness, confront and deal with bullying and do not condone rule violations or the use of prohibited or illegal substances. Insist on adherence to Child Protection procedures
- Treat all young people equally; this means giving both the more and less talented members of a group similar attention, time, respect and preserving their dignity
- Respect the developmental stage of each young person and do not risk sacrificing their welfare in a desire for personal achievements. This means ensuring that the practice intensity is appropriate to the physical, social and emotional stage of the development of the young person. Concerts, rehearsals, solos etc. must be suited primarily to the needs and the interests of the child, not those of the parents, teacher or band
- Build relationships based on mutual trust and respect, in which young people are encouraged to take responsibility for their own development and decision-making. Avoid situations where the Musical Director or any other member of the band uses their position and power to decide what the young person should or should not do without consideration of the young person's needs and capabilities
- Always be publicly open when working with children. Avoid sessions or meetings where an individual member and an individual young person are completely unobserved
- Where young people need to be supervised in the changing rooms, band members should work in pairs, and involve parents if possible. Maintain an appropriate and open environment, with no secrets.
- Avoid unnecessary physical contact with young people. Where any form of physical guidance is required in teaching technique, this should be provided openly and with the consent of the young person. It is important to educate parents of what is and is not acceptable in the context of band playing. Physical contact (touching) can be appropriate so long as it is neither intrusive nor disturbing and the young persons permission has been given.



- Maintain a safe and appropriate relationship with young people. It is inappropriate for members to have an intimate relationship with a young person, even if they are over 16, the normal age of legal consent. (This could also be a criminal offence 'abuse of trust' in certain circumstances defined by the Sexual Offences (Amendment) Act 2000)
- Maintain appropriate standards of behaviour at social events that young people attend
- Be an excellent role model, for example by not smoking or drinking alcohol while working with young people
- Communicate regularly with parents and involve them in decision-making. Gain their consent in writing to act in loco parentis to give permission for the administration of emergency first aid or other medical treatment if the need arises
- Be aware of any medical conditions, existing injuries and medicines being taken. Keep a written record of any injury or accident that occurs, together with details of any treatment given. Arrange that someone with knowledge of first aid is readily available
- Gain written parental consent for any significant travel arrangements, especially if an overnight stay is involved

Poor practice

The following are regarded as poor practice and should be avoided by all members;

- Unnecessarily spending excessive amounts of time alone with children away from others
- Taking children alone in a car on journeys, however short
- Taking children to your home where they will be alone with you
- Sharing a room with a child
- Engaging in rough, physical or sexually provocative games, including horseplay
- Allowing or engaging in inappropriate touching of any form
- Allowing children to use inappropriate language unchallenged
- Making sexually suggestive comments to a child, even in fun
- Reducing a child to tears as a form of control
- Letting allegations a child makes go unchallenged, unrecorded, or not acted upon
- Doing things of a personal nature that children can do for themselves
- Having children stay at your home with you unsupervised

Where cases arise where it is impractical to avoid any of the situations mentioned in this section, they should only occur with the full knowledge and consent of someone in charge in the organisation and the children's parents.

If, during your care of a child, you accidentally hurt them, the child seems distressed in any manner, appears to be sexually aroused by your actions, or misunderstands or misinterprets something you have done, report any such incidents as soon as possible to another member and make a brief written note of it. Parents should also be informed of the incident.



Procedures to implement DBS checks

Band members who need to be vetted;

- All band personnel (including non-member helpers) who will have significant access to children should be checked. The band Welfare Officer should keep a record of all such people and ensure that they have been vetted through the DBS.

How this policy impacts on the Invicta Jazz Orchestra

The Invicta Jazz Orchestra does not operate a youth band. However, members of the band may be less than 18 years of age. In accordance with the above guidance, all members of the band have responsibility for the safety of any children or young people who are members of the organisation, and should therefore ensure that they follow the good practice outlined in this document.

Because there is no direct teaching of young people or children in the band, and no members have a specific responsibility for, or are likely to be working alone with any young person or child, the committee have judged that DBS checks are not required for any members of the organisation.

The committee believes that all members have responsibility for the welfare of any young people/ children, but has designated a Welfare Officer.

If, in the future, the band begins tuition for young people on an individual basis, or plans to start a youth band, this policy and practice will be reviewed.

If a young person under the age of 18 attends rehearsals or engagements, responsibility for that young person must rest ultimately with the parents or carers. Whilst band members will observe the above guidance to ensure child protection, parents or carers will be advised to remain on site at the rehearsal to maintain responsibility.

This constitution will be communicated to new members as they join and to the parents/ carers of any persons under the age of 18.



CHILD PROTECTION GUIDANCE

A KEEP IT SIMPLE GUIDE TO ENSURING ALL IJO MEMBERS UNDERSTAND RESPONSIBILITIES AND EXPECTATIONS IN REGARDS TO CHILD PROTECTION ISSUES AND PROTECTING THEMSELVES AGAINST ANY ASSOCIATED ALLEGATIONS

All members will take the time to read the above policy as adopted by the band as a basis;

Definition; for the purposes of this document, a 'young person' is anyone under the age of 18 years.

If a young person joins the Band, the Welfare Officer will ensure the Parents/ Carers are aware of the Bands' CP policies and procedure by presenting them with a copy of the constitution and appendices.

All Members are aware of the following;

- No member is to teach or coach any young person on behalf of the band without prior agreement of the committee and appropriate checks being made. Any such member will need to complete a DBS (Disclosure and Barring Service) check. If any member takes on the tuition/ coaching of a young person in a private capacity, it must be made clear that they are not working on behalf of the band, and this must not take place during Band rehearsal times or on premises used by the Band.
- No member is to work with young people alone/ on a 1:1 basis at any time
- If at any point a member has any concerns in regards to the welfare and safety of a young person they should immediately bring the issue to the attention of the Welfare Office or other Committee Member
- If a concern is raised by a member, the Committee will collectively
- Consider the nature/ seriousness of the concern
- Consider the immediate wishes of the young person and family involved and ensure they are supported as appropriate
- Consider any evidence that is available
- Decide on the level of direct and immediate action, i.e.
 - An initial suspension of a Member's activity with the band whilst investigations take place
 - Consider whether a self-initiated investigation is required within the band
 - Consider whether the police need to be involved (is it a criminal allegation?)
 - Consider what appropriate action to take, which may result in police involvement, formal written warnings or expulsion from the organization

For members' information, a full contact list of CP contacts is listed below.



A GUIDE FOR PARENTS/ CARERS OF YOUNG PERSONS UNDER THE AGE OF 18 YEARS

The Invicta Jazz Orchestra takes the Welfare and Safety of young people very seriously and has an appropriate Child Welfare and Protection Policy in place.

Having said this, the primary responsibility for the safety of the young person ultimately sits with the Parent/ Carer. It is recommended that Parents/ Carers attend rehearsals with their children.

All Members of the band have been issued with the constitution including the Child Protection Policy.

Child Protection/ welfare contact numbers for your reference;

Invicta Jazz Orchestra Welfare Officer	Pat Lacey pat.lacy@btinternet.com 01622 759491
Kent County Council Children's Social Services	03000 41 11 11
Kent Police	101 and ask to speak to someone in your local Child Safeguarding Team
NSPCC	0808 800 5000
Childline	0800 1111