



*The Spearhead Foundation
Manchester Heliport
Liverpool Road
Manchester
M30 7RU*

The Spearhead Foundations Governing Document – Update 2022.

Outlining the following:

- 1. Objectives as an organisation.**
- 2. Safeguarding policy.**
- 3. Financial policy and payment procedures.**
- 4. Trustees and Volunteers / Structure and voting.**
- 5. Data Protection Policy.**
- 6. Asset list and leases.**

This document has been created to show we act in line with governing bodies and for the transparency for those who are looking to support the foundation, whether as a donor, a grant provider or business who'd like to partner or for those who may come to us for support, or to be involved in activities who may want to take a more in depth look at us as an organisation.

Objectives as an organisation:

- To create a community and friendships amongst the Armed forces and Emergency Services.
- To provide a safe space for those suffering with mental illness and needing a place to hide away for five and be with people who understand.
- To provide wellness activities to Armed Forces personnel/Veterans and Emergency Service personnel/Veterans.
- To stem suicide and mental illnesses within our community including the armed forces and emergency services through counselling and social inclusion events.
- To create purpose to those who feel they have none, providing this through our drift team, through our humanitarian team or café by providing volunteering opportunities.
- To provide support to those who are disabled, whether mentally or physically into employment or volunteering roles.
- To provide financial support, emergency grants and advice to those who require it through our grant scheme.
- To provide opportunities to qualified veterans within our humanitarian team.

Objectives of our humanitarian team:

- To help in times of crisis through humanitarian support, whether domestic or internationally.
- Providing medical support in disasters through our humanitarian team.
- To provide high level training to organisations in disasters through our humanitarian team.
- To assist in hostile environments with the evacuations/medical support by providing military trained and hostile environment medical teams to missions.
- To provide food, water and specialist equipment where required to support wider operations.



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Safeguarding children and adults at risk of harm policy.

1. Purpose

Safeguarding and promoting the welfare of children and adults at risk of harm or neglect.

This policy defines how The Spearhead Foundation operates to safeguard children, young people and adults at risk of harm or neglect.

We have a duty of care and are committed to the protection and safety of everyone who comes in to contact with it including children, young people and adults at risk involved as visitors and as participants in all our activities both on and off site. We also have a duty to safeguard and support our staff and volunteers.

Definitions

Children and young people are defined as those persons aged under 18 years old. This policy will apply to all staff, contractors and volunteers and will be used to support their work.

“Safeguarding and promoting the welfare of children” is defined in Working Together 2018 as:

- protecting children from maltreatment
- preventing impairment of children’s health and development
- ensuring that children grow up in circumstances consistent with the provision of safe and effective care
- taking action to enable all children to have the best outcomes

Adult at risk of abuse or neglect

For the purposes of this policy, adult at risk refers to someone over 18 years old who, according to paragraph 42.1 of the Care Act 2014:

- has care and support needs
- is experiencing, or is at risk of, abuse or neglect
- as a result of their care and support needs is unable to protect himself or herself against the abuse or neglect or the risk of it.
- If someone has care and support needs but is not currently receiving care or support from a health or care service, they may still be an adult at risk

2. Persons affected

- All staff, paid and unpaid, this includes Trustees and all volunteers
- All service users
- All visitors and contractors

3. Safeguarding policy

The Spearhead Foundation has a zero-tolerance approach to abuse. The Spearhead Foundation recognises that under the Care Act 2014 it has a duty for the care and protection of adults who are at risk of abuse. It also recognises its responsibilities for the safety and care of children under the Children Act 1989 and 2004 and the Domestic Abuse Act 2021.

It is committed to promoting wellbeing, harm prevention and to responding effectively if concerns are raised. Adults will be included in swift and personalised safeguarding responses.

It is also committed to inter agency collaboration on the development and implementation of procedures for the protection of adults vulnerable from abuse, it has a duty and responsibility for deciding to ensure all its functions are discharged having regard to safeguarding and promoting the adults at risk of abuse. The policy is about stopping abuse where it is happening and preventing abuse where there is a risk that it may occur.

There can be no excuses for not taking all reasonable action to protect adults at risk of abuse, exploitation, radicalisation and mistreatment. All citizens of the United Kingdom have their rights enshrined within the Human Rights Act 1998. People who are eligible to receive health and community care services may be additionally vulnerable to the violation of these rights by reason of disability, impairment, age or illness.

The Spearhead Foundation is committed to following the six key Adult principles of safeguarding adults, Making Safeguarding personal and Capacity, Consent and decision making. (Appendix 1 for details)

The Spearhead Foundation is committed to the following principles:



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- The welfare of the child, young person or adult at risk is paramount.
 - All children, young people and adults at risk have the right to protection from abuse
 - safeguarding is everyone's responsibility: for services to be effective each professional and organisation should play their full part; and
 - All suspicions and allegations of abuse must be properly reported to the relevant internal and external authorities and dealt with swiftly and appropriately
 - arrangements which set out clearly the processes for sharing information procedures with other professionals and with the Suffolk Safeguarding Partnership.
-
- Staff, contractors and volunteers must be clear on appropriate behaviour and responses. See Appendix 1 for code of conduct. Where appropriate, failure by staff to maintain standards may be dealt with using THE ORGS Disciplinary Procedures
 - clear whistleblowing procedures are suitably referenced in staff training and codes of conduct, and a culture that enables issues about safeguarding and promoting welfare to be addressed.
 - All staff are aware of the policy and procedures for the protection of children, young people and adults at risk through appropriate safeguarding training, supervision and support for staff and for creating an environment where staff feel able to raise concerns and feel supported in meeting their safeguarding role.
 - staff are given a mandatory induction, which includes familiarisation with safeguarding responsibilities and procedures to be followed if anyone has any concerns
 - all staff should have regular reviews of their own practice to ensure they improve over time in their work with children, adults at risk and families
 - a clear line of accountability for the provision of safe services exists
 - a senior board level led to take leadership responsibility for The Spearhead Foundation's safeguarding arrangements.
 - a designated lead for safeguarding at The Spearhead Foundation.
 - safe recruitment practices are in place including policies on when to obtain a DBS check.
 - clear policies in line with those from the Manchester City Council Safeguarding Partnership for dealing with allegations against people who work with children. Such policies should make a clear distinction between an allegation, a concern about the quality of care or practice or a complaint. An allegation may relate to a person who works with children who has:
 - behaved in a way that has harmed a child or may have harmed a child.
 - possibly committed a criminal offence against or related to a child; or
 - behaved towards a child or children in a way that indicates they may pose a risk of harm to children.

The Spearhead Foundation will ensure that staff understand.

- Core legal safeguarding requirements and their responsibility to keep children and adults at risk safe.
- That all staff who come into contact with children and adults at risk are alert to their needs and any risks of harm that individual abusers, or potential abusers, may pose to children and adults at risk.
- The requirement to share appropriate information in a timely way and can discuss any concerns about an individual child with colleagues and local authority children's and adult's social care
- The issues of capacity, consent and decision making in relation to safeguarding adults. (see appendix 1)

Appendix 1

Key six key principles that underpin safeguarding adults work*

- **Empowerment** – People being supported and encouraged to make their own decisions and informed consent
- **Prevention** – It is better to act before harm occurs
- **Proportionality** – The least intrusive response appropriate to the risk presented
- **Protection** – Support and representation for those in greatest need
- **Partnership** – Local solutions through services working with their communities. Communities have a part to play in preventing, detecting and reporting neglect and abuse
- **Accountability** – accountability and transparency in delivering safeguarding



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*From Manchester City Council Safeguarding Adults Policy and Operational Guidance 2015-17

Making Safeguarding Personal

Making Safeguarding Personal is a shift in culture and practice in response to what we now know about what makes safeguarding more or less effective from the perspective of the person being safeguarded. It is about seeing people as experts in their own lives and working alongside them in a way that is consistent with their rights and capacity and that prevents abuse occurring wherever possible.

Safeguarding should be person-led and outcome focused, engaging the adult at risk in a conversation about how best to respond to their safeguarding situation in a way that enhances involvement, choice and control as well as improving quality of life, wellbeing and safety. In most cases this can only happen by making sure people get the care and support that they need. It is also important that the people who care for them also get this support and recognition. Most importantly it is about listening and providing the options that permit individuals to help themselves.

It is also important that all safeguarding partners take a broad community approach to establishing safeguarding arrangements. It is vital that all organisations recognise that Safeguarding Adults arrangements are there to protect individuals, bearing in mind different preferences, histories, circumstances and lifestyles.

In order to evidence that the Safeguarding process is personalised, it is necessary to collect information about the extent to which this shift has a positive impact on people's lives.

Whilst every effort must be made to work with adults experiencing abuse within the present legal framework there will be some occasions on which adults at risk will choose to remain in dangerous situations. It may be that even after careful scrutiny of the legal framework, staff will conclude that they have no power to gain access to a particular adult at risk. Staff may find that they have no power to remove the adult from a situation of risk, investigate the adult's financial affairs, or intervene positively because the adult refuses all help or wants to terminate contact with the professionals.

It may not always be possible to provide satisfactory solutions. At the age of 18, people are legally entitled to adult status regardless of any disability or impairment they may have. *It is, 'therefore, essential that wherever possible it is the adult at risk who will decide on the chosen course of action, taking into account the impact of the adult at risk's mental capacity where relevant. However, the people and organisations caring for, or assisting them, must do everything they can to identify and prevent abuse happening wherever possible and evidence their efforts'*

In these extremely difficult circumstances, staff will be expected to continue to exercise as much vigilance as possible.

Safeguarding Managers will give full support to staff over problems when handling cases of adults remaining in high-risk situations, provided that:

- It is evident from case records that Safeguarding Adults procedures have been properly followed;
- Every effort has been made, on a multi-agency basis, to intervene positively to protect the adult at risk;
- Legal advice has been obtained and acted upon

And ultimately that the adult at risk has been fully consulted and involved as far as practicable in every decision relating to their situation

Capacity, Consent and Decision Making

The consideration of capacity is crucial at all stages of Safeguarding Adults procedures. For example determining the ability of an adult at risk to make lifestyle choices, such as choosing to remain in a situation where they risk abuse; determining whether a particular act or transaction is abusive or consensual; or determining how much an adult at risk can be involved in making decisions in a given situation.

The key development affecting this area of work is the implementation of the Mental Capacity Act 2005, which provides a statutory framework to empower and protect adults at risk who may not be able to make their own decisions. It makes it clear who can take decisions in which situations and how they should go about this. It enables people to plan for a time when they may lose capacity. It applies to anyone aged 16 years and over therefore appropriate liaison needs to occur for young people aged 16 to 18 years with Children's Services where relevant as part of Safeguarding Adults work.

The whole Act is underpinned by a set of five key principles:

- **A presumption of capacity** - every adult has the right to make his or her own decisions and must be assumed to have capacity to do so unless it is proved otherwise;
- **The right for individuals to be supported to make their own decisions** - people must be given all appropriate help before anyone concludes that they cannot make their own decisions;
- That individuals must retain the right to make what might be seen as eccentric or **unwise decisions**;
- **Best interests** - anything done for or on behalf of people without capacity must be in their best interests; and
- **Least restrictive intervention** - anything done for or on behalf of people without capacity should be the least restrictive of their basic rights and freedoms.



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Financial Policies and payment procedures.

Financial records must be kept so that:

- The organisation meets its legal and other statutory obligations, such as Charity Acts, Her Majesty's Revenue & Customs and common law.
- The trustees have proper financial control of the organisation.
- The organisation meets the contractual obligations and requirements of funders.

The books of accounts must include:

- A cashbook analysing all the transactions appearing on the bank accounts
- A cash log if cash donations are taken including two signatures.
- A log of grant/restricted fund spend.

Accounts must be drawn up at the end of each financial year within 3 months of the financial year end and presented to the next Annual General Meeting.

Prior to the start of each financial year, the trustees will approve a budgeted income and expenditure account for the following year.

A report comparing actual income and expenditure with the budget should be presented to the trustees every three months when the board holds its quarterly meetings.

The board will appoint an appropriately qualified auditor/independent examiner to audit or examine the accounts and collate the data to ensure the foundation is spending correctly.

Banking

- The Charity banks with Co-Op Bank plc and accounts are held in the name of The Spearhead Foundation
- The bank mandate requires three signatures on any cheques or payments above £250 which aren't outlined or prior agreed in board meetings.
- Only the following people have authorisation on the bank accounts for The Spearhead Foundation, these people are the only people who can approve payment: Jason, Alex, Lauren, Emma and Michael.
- The charity will require the bank to provide statements every month and these will be reconciled with the cash book at least every three months and the treasurer will spot check that this reconciliation has been done at least twice a year, signing the cash book accordingly.
- The charity will not use any other bank or financial institution or use overdraft facilities or loan without of the agreement of the trustees.

Income

- All monies received will be recorded promptly in the cash analysis book and banked within 48 hours
- The Charity will maintain files of documentation to back this up.

Payments (expenditure)

- The aim is to ensure that all expenditure is on the charity's business and is properly authorised and that this can be demonstrated.

Payment documentation

- Every payment out of the Charity's bank accounts will be evidenced by an invoice.
- That invoice will be retained by the Charity and filed. The bank signatory should ensure that it is referenced with date/proof of signature.

Wages and Salaries

- There will be a clear trail to show the authority and reason for EVERY such payment, e.g. a payment request form asking for payment to an employee, HMRC etc.
- All staff appointments/departures will be authorised by the trustees, minuting the dates and salary level. Similarly, all changes in hours and variable payments such as overtime, etc, will be authorised by the trustees.
- Petty cash will always be maintained on a system whereby the centre manager is entrusted with a float as agreed by the trustees.



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Expenses / allowances

The Spearhead Foundation will, if asked, reimburse expenditure paid for personally by staff, providing:

- Fares are evidenced by tickets.
- Other expenditure is evidenced by original receipts.
- Car mileage is based on local authority scales.
- No bank signatory signs for the payment of expenses to themselves.

Banking Signatures

- Each donation will be signed by at least two people.
- Each bank transfer will be signed by at least three people.
- A bank transfer must not be signed by the person to whom it is payable.

Other financial rules

- The Charity does not accept liability for any financial commitment unless properly authorised by the board.
- Any orders placed or undertakings given which are likely to cost the Charity in excess of £250.00 must be authorised and agreed by the trustees.
- In exceptional circumstances such undertakings can be made with the two-person approval who will then provide full details to the next meeting of the trustees. (This covers such items as the new service contracts, office equipment, purchase and hire).
- All fundraising and grant applications undertaken on behalf of the organisation will be done in the name of The Spearhead Foundation with the prior approval of the board or in urgent situations the approval of the founder who will provide full details to the next board meeting.
- The Spearhead Foundation will adhere to good practice in relation to its finances at all times.
- The Spearhead Foundation will maintain a fixed asset register stating the date of purchase, cost, serial numbers and normal location of assets.
- Additionally, The Spearhead Foundation will maintain a property record of items of significant value, with an appropriate record of their use.



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Trustees and Volunteers – Structure and Voting.

The Spearhead Foundation operates a strict voting policy to ensure no decision is made alone, or without the best interest of the organisation and those we support.

EG- If (A) wants to organise an event he needs (B), (C), (D) to say yes for it to go ahead, if you (D) say no said event could go ahead but if (C) and (D) say no then the event can't go ahead.

This system is in place for all decisions and payments/purchases/bank transfers.

Those with voting rights are only members of the board.

The board currently consists of the following members:

Michael B
Craig M
Jason N
Lauren H
Christopher C

The founder of the foundation is Craig Monaghan, He doesn't have majority voting rights. His voting right is 1 of 5, Craig isn't allowed expenses or any payment nor has he ever received payment or expense.

Craig Monaghan does own, the trademark, domain name and logo rights.

The motorsport founder of the foundation is Jason New, He doesn't have majority voting rights. His voting right is 1 of 5. Jase isn't allowed expenses relating to motorsport but is for the foundation/charitable organisation side.

The Spearhead Foundation currently in 2022 has 14 volunteers including the board members. The first name of our registered volunteers are as follows:

Shaun S
Eric C
Lee D
Lauren H (no relation to board member)
Isobel B
Adele S
Colin B
Darren R
Emma J



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Data Protection Policy

Charity	The Spearhead Foundation
GDPR	means the General Data Protection Regulation.
Responsible Person	Michael Bonno.
Register of Systems	means a register of all systems or contexts in which personal data is processed by The Spearhead Foundation.

1. Data protection principles

The Spearhead Foundation is committed to processing data in accordance with its responsibilities under the GDPR.

Article 5 of the GDPR requires that personal data shall be:

- a. processed lawfully, fairly and in a transparent manner in relation to individuals;
- b. collected for specified, explicit and legitimate purposes and not further processed in a manner that is incompatible with those purposes; further processing for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes shall not be considered to be incompatible with the initial purposes;
- c. adequate, relevant and limited to what is necessary in relation to the purposes for which they are processed;
- d. accurate and, where necessary, kept up to date; every reasonable step must be taken to ensure that personal data that are inaccurate, having regard to the purposes for which they are processed, are erased or rectified without delay;
- e. kept in a form which permits identification of data subjects for no longer than is necessary for the purposes for which the personal data are processed; personal data may be stored for longer periods insofar as the personal data will be processed solely for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes subject to implementation of the appropriate technical and organisational measures required by the GDPR in order to safeguard the rights and freedoms of individuals; and
- f. processed in a manner that ensures appropriate security of the personal data, including protection against unauthorised or unlawful processing and against accidental loss, destruction or damage, using appropriate technical or organisational measures.”

2. General provisions

- a. This policy applies to all personal data processed by The Spearhead Foundation.
- b. The Responsible Person shall take responsibility for The Spearhead Foundation’s ongoing compliance with this policy.
- c. This policy shall be reviewed at least annually.

3. Lawful, fair and transparent processing

- a. To ensure its processing of data is lawful, fair and transparent, The Spearhead Foundation shall maintain a Register of Systems.
- b. The Register of Systems shall be reviewed at least annually.
- c. Individuals have the right to access their personal data and any such requests made to The Spearhead Foundation shall be dealt with in a timely manner no less than 30 working days.

4. Lawful purposes

- a. All data processed by the charity must be done on one of the following lawful bases: consent, contract, legal obligation, vital interests, public task or legitimate interests ([see ICO guidance for more information](#)).
- b. The Spearhead Foundation shall note the appropriate lawful basis in the Register of Systems.
- c. Where consent is relied upon as a lawful basis for processing data, evidence of opt-in consent shall be kept with the personal data.
- d. Where communications are sent to individuals based on their consent, the option for the individual to revoke their consent should be clearly available and systems should be in place to ensure such revocation is reflected accurately in The Spearhead Foundation’s systems.



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5. Data minimisation

- a. The Spearhead Foundation shall ensure that personal data are adequate, relevant and limited to what is necessary in relation to the purposes for which they are processed.

6. Accuracy

- a. The Spearhead Foundation shall take reasonable steps to ensure personal data is accurate.
- b. Where necessary for the lawful basis on which data is processed, steps shall be put in place to ensure that personal data is kept up to date.

7. Archiving / removal

- a. To ensure that personal data is kept for no longer than necessary, The Spearhead Foundation shall put in place an archiving policy for each area in which personal data is processed and review this process annually.
- b. The archiving policy shall consider what data should/must be retained, for how long, and why.

8. Security

- a. The Spearhead Foundation shall ensure that personal data is stored securely using modern software that is kept-up-to-date.
- b. Access to personal data shall be limited to personnel who need access and appropriate security should be in place to avoid unauthorised sharing of information.
- c. When personal data is deleted this should be done safely such that the data is irrecoverable.
- d. Appropriate back-up and disaster recovery solutions shall be in place.

9. Breach

In the event of a breach of security leading to the accidental or unlawful destruction, loss, alteration, unauthorised disclosure of, or access to, personal data, the Charity shall promptly assess the risk to people's rights and freedoms and if appropriate report this breach to the ICO ([more information on the ICO website](#)).



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Asset list and leases:

The Spearhead Foundation currently holds leases in four areas.

- I. The Spearhead Farm, Red Brick Cottage, Worsley.
- II. The Spearhead Counselling/Wythenshawe branch, Regus Office, Manchester Airport.
- III. The Spearhead Offices, Manchester Heliport, Barton Airport.
- IV. The Spearhead Recovery Centre, The Tomato Shed, Barton Airport.

The total value combined of all leases per month/annually is: £2,250.00/£27,000.00

Broken down these leases are inclusive of VAT and are as follows:

- I. £750.00
- II. £600.00
- III. £600.00
- IV. £300.00

Asset Register:

- 1 x black sofa bed - £190.00
- 1 x black leather sofa - £410.00
- 4 x planters - £80each total: £320.00
- 1 x dog kennel - £320.00
- 1 x farm shed - £490.00
- 1 x farm chicken coup - £299.00
- 6 x office desks - £110each total: £660.00
- 6 x office chairs - £60each total: £360.00
- 1 x small fridge white - £128.99
- 1 x small fridge black - £135.00
- 1 x Dolce Gusto machine - £60.00
- 1 x kettle - £30.00
- 1 x DS Cannon Camera - £599.00
- 2 x Go Pro Cameras - £180each total: £360.00
- 1 x iPhone 14 - £900.00
- 1 x iPhone 8 - £400.00
- 2 x Apple Macbook - £999.00

Total Assets: £7,659.99 (Correct as of September 2022)