

How we work at FoAM Kernow

Updated 3/06/21.

To be reviewed annually, and when legislation changes.

Table of Contents

Environment & Sustainability Policy.....	1
Equality & Diversity Policy.....	2
Bullying & Harassment Policy.....	3
Safeguarding Policy.....	5
Whistleblowing Policy.....	6
Grievance Policy.....	8
Disciplinary Policy.....	9
Data Management Policy.....	12
Procurement Policy.....	12
Travel and Subsistence Policy.....	13
Grant and Project Financial Administration Policy.....	13
Integrity, Ethics, Misconduct & Conflicts of Interest Policy.....	15
Anti-Fraud, Corruption & Bribery Policy.....	15
Risk Management Policy.....	19
What Makes a FoAM Project?.....	20

All policies apply to all Directors, employees, subcontractors, students and volunteers. These policies do not form part of any employee's contract of employment and it may be amended at any time.

In addition there is an attempt to answer the perennial question of 'what makes a FoAM project?' Note that this document refers only to the FoAM Kernow studio in the UK, as each of the FoAM studios (Amsterdam, Bxl, Earth, Filfla, Nordica, Zenne) is a legally separate entity with differing approaches.

Our legal articles of association are available online for transparency and for others to use: <https://github.com/fo-am/foam-kernow/blob/master/articles-of-association.md>

Our financial details are published here: <https://beta.companieshouse.gov.uk/company/09073427>

Environment & Sustainability Policy

We recognise the severity of climate change and its impacts on human societal structures and the survival of all other species. Sustainable development is about finding better modes of existence, in line with FoAM's organisational motto 'Grow your own worlds'.

The FoAM Kernow studio is based in Penryn – a rural and coastal location, at only two metres above sea level, heightening our awareness of the impacts of climate change. Parts of our local neighbourhood are in the top 20% most deprived areas in England (Indices of Multiple Deprivation 2019, link http://dclgapps.communities.gov.uk/imd/iod_index.html),

and Cornwall as a whole has staggering inequality, reminding us daily of the challenges facing our society.

Here are some specifics, guided by the 2030 Agenda for Sustainable Development:

- We are a non-profit limited by guarantee, ensuring that there are no shareholders – all those who benefit financially from the organisation must also work for the organisation, and any profits are ploughed back into meeting the organisation's aims.
- Our business banking is through the Co-Operative Bank, which holds strong ethical policies on human rights and animal welfare, and does not invest in fossil fuels.
- We choose who we work with carefully. For example we do not accept projects funded by the military or work with organisations involved in environmentally damaging or extractive industries. In 2018–2019 we turned down projects working with a phosphorus mining company, and a for-profit veterinary pharmaceutical company (primarily because they were not willing to make the public-funded results open access).
- We promote and enable the conservation of the land and oceans through our commitment to developing projects with a focus on the environmental and natural sciences.
- We follow the principles of Appropriate Technology, aiming to make our work low cost, environmentally sound, and locally autonomous. The most environmentally sustainable materials are chosen wherever possible.
- Our studio is based in a carbon positive building, with all electricity provided by on-site renewable energy (solar and wind), rainwater harvesting, and heat provided by a pellet burner. The building is 1m higher than others on the same road, designed to withstand flooding from the nearby estuary.
- We have a policy of not flying for work, unless absolutely necessary. Since our incorporation in 2014, a total of one short-haul one-way flight has been taken.

Equality & Diversity Policy

A core tenet of the approach of FoAM Kernow is to be open to people, places, methods and ideas. The legal objects for which the Company is established reflect this.

We do our best to promote inclusion through our work, and to support our local community:

- We ensure inclusive and equitable education through the design and delivery of free transdisciplinary workshops that are open to all. We work towards diverse representation at all levels, and prioritise participants who are under-represented. Our studio space has step-free access and accessible toilets. We have first-hand experience of serious disability and chronic illness, and have worked with people with a range of issues including autism and visual impairments, and as such hope to be accommodating and welcoming at all times – we may unintentionally get things wrong, and will prioritise correcting and learning from any mistakes we make.
- All our work is made freely available for anyone to use for their own purposes, modify, or build on. Our software is licensed under the GNU General Public Licence and we ensure that we make all publications open-access. Since much of our work is public funded, we believe this is the only ethical approach.

- We promote inclusive societies and better access to institutions and information through our focus on citizen science interventions.
- We established a FoodBank collection point in our studio building, where we and a few other studios collect food donations for the community where food poverty and hunger are a significant issue due to years of austerity and a poor social security system in the UK.

Those working with FoAM Kernow can expect fully flexible and part-time working as required. We have a mix of PAYE and freelance employees, and the form of employment depends on the length of the contract, conditions of the funding, and the preference of the individual.

We will not discriminate on the basis of age, disability, sex, sexual orientation, race, religion or belief, gender identity or reassignment, marriage or civil partnership, pregnancy or parenthood, political opinion or socioeconomic background – instead we welcome and actively seek diversity as it brings the breadth of perspectives, ideas, knowledge and culture that is essential to our organisational aims. We will not discriminate against people who hold criminal records relating to peaceful environmental, climate, or civil rights protests.

We oppose all forms of unlawful and unfair discrimination, and will not tolerate discrimination from those working with us or participating in our events. We will meet our legal duties under the Equality Act 2010, the Equality Act (Specific Duties) (Scotland) Regulations 2012 and the Human Rights Act 1998, and will do so in a fair, justifiable, open and honest way.

Bullying & Harassment Policy

Everyone working at FoAM Kernow has a responsibility to help create and maintain an environment free from harassment, bullying and victimisation, where everyone is treated with dignity and respect. Allegations of harassment or bullying, received either informally or formally, must be dealt with promptly and sensitively.

Harassment is: Unwanted conduct which has the purpose or effect of violating someone else's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment.

Unwanted conduct can happen through any kind of behaviour including spoken or written words, images, physical gestures, facial expressions, mimicry, jokes or pranks. FoAM Kernow has a legal obligation under the Equality Act 2010 to ensure that the following types of harassment do not take place at work: Harassment related to the protected characteristics of race, disability, gender, gender reassignment, age, sexual orientation and religion or belief; Sexual harassment; and Less favourable treatment of an employee because they submit to or reject sexual harassment or harassment related to sex or gender reassignment.

We also have a duty of care under the Health and Safety at Work Act 1974 to ensure that, so far as reasonably practicable, the health, safety and welfare of all employees are protected. If we become aware of a situation that gives us cause for concern for the health, safety and welfare of an employee or employees we will take action to protect them.

Some forms of harassment, including sexual assault and other physical threats and hate crimes, are a criminal matter and will be reported to the Police. If the complaint is reported to the police, or criminal court proceedings are being pursued, a complaint must still be investigated as an employment matter – which may include proceeding to disciplinary.

Bullying is: Offensive, intimidating, malicious or insulting behaviour. It is typically an abuse or misuse of power through means that undermine, humiliate or injure the recipient.

Again, it is the impact of any conduct rather than the intent which is the key. As a guide, such conduct includes: Spreading malicious rumours; Ridiculing or demeaning someone – picking on them or setting them up to fail; Overbearing supervision or other misuse of power or position; Deliberately undermining a competent worker by overloading and constant criticism; Belittling efforts and undervaluing contribution; Making threats or comments about job security without foundation; Withholding information or opportunities with the intent of deliberately affecting a colleague's performance or development; Open aggression, threats, shouting, abuse and obscenities, persistent negative attacks or persistent unwarranted criticism; Ostracising, isolating and marginalising an individual, excluding the person from any discussion or decision making; Unreasonably or unnecessarily removing areas of responsibility or imposing inappropriate tasks which are not in keeping with the duties and level of the post; Cyberbullying – using information and communications technology (particularly mobile phones, the internet and social media) to upset and humiliate someone.

Procedure for dealing with harassment and bullying

The person affected, or witnesses, should keep a record of any incidents, detailing when, where, what occurred, and witnesses (if any). The person affected, or witnesses, should report the matter immediately to any of the Directors.

The Director will discuss the matter with the complainant and agree a course of action. The complainant may be accompanied by a representative or work colleague at these meetings. The alleged harasser will also have the right to state their version of events to the manager and to also be accompanied by a representative or colleague. The complainant must be assured that they will not be discriminated against or victimised for raising the complaint.

Confidentiality will be observed throughout and the need for any disclosure of the details of the case will be discussed and agreed. At any stage of the process the complainant, the manager dealing with the complaint or the accused may feel that they need the help of an independent person before deciding on the best course of action. The Company will seek the advice of a suitable trained persons who can give confidential advice and assistance, including: advising on the nature of harassment; and offering guidance on resolving harassment problems, including acting as an independent broker

Where there is evidence that harassment has occurred, prompt and corrective action will be taken, including disciplinary action where appropriate. Harassment is a serious offence which may result in dismissal.

Safeguarding Policy

This policy has been drawn up on the basis of legislation, policy and guidance that seeks to protect children in England. The purpose of this policy statement is:

- To protect children and young people who receive FoAM Kernow's services from harm. This includes the children of adults who use our services.
- To provide staff and volunteers, as well as children and young people and their families, with the overarching principles that guide our approach to child protection.

We believe that:

- Children and young people should never experience abuse of any kind
- We have a responsibility to promote the welfare of all children and young people, to keep them safe and to practise in a way that protects them.

We recognise that:

- The welfare of children is paramount in all the work we do and in all the decisions we take all children, regardless of age, disability, gender reassignment, race, religion or belief, sex, or sexual orientation have an equal right to protection from all types of harm or abuse
- Some children are additionally vulnerable because of the impact of previous experiences, their level of dependency, communication needs or other issues
- Working in partnership with children, young people, their parents, carers and other agencies is essential in promoting young people's welfare.

We will seek to keep children and young people safe by:

- Valuing, listening to and respecting them
- For any events or projects involving children, appointing a nominated child protection lead for children and young people, and making sure that children, young people and their families know where to go for help if they have a concern.
- Effective online safety will be considered for all online projects, retaining anonymity and privacy wherever possible. We follow both GDPR guidance and the more specific COPPA (Children's Online Privacy Protection Rule), restricting online communication within our tools, services and games to an absolute minimum and removing private communication entirely.
- Providing effective management for staff and volunteers through supervision, support, training and quality assurance measures so that all staff and volunteers know about and follow our policies, procedures and behaviour codes confidently and competently.
- Recruiting and selecting staff and volunteers safely, ensuring all necessary checks are made.
- Recording, storing and using information professionally and securely, in line with data protection legislation and guidance [more information about this is available from the Information Commissioner's Office: ico.org.uk/fororganisations]
- Using our safeguarding and child protection procedures to share concerns and relevant information with agencies who need to know, and involving children, young people, parents, families and carers appropriately.
- Using our procedures to manage any allegations against staff and volunteers appropriately.

- Creating and maintaining an anti-bullying environment and ensuring that we have a policy and procedure to help us deal effectively with any bullying that does arise.
- Ensuring that we have effective whistleblowing measures in place.
- Ensuring that we provide a safe physical environment for our children, young people, staff and volunteers, by applying health and safety measures in accordance with the law and regulatory guidance.
- Building a safeguarding culture where staff and volunteers, children, young people and their families, treat each other with respect and are comfortable about sharing concerns.

Whistleblowing Policy

Whistleblowing law is located in the Employment Rights Act 1996 (as amended by the Public Interest Disclosure Act 1998). It provides the right for a worker to take a case to an employment tribunal if they have been victimised at work or they have lost their job because they have 'blown the whistle'.

It is important that any fraud, misconduct or wrongdoing by staff or others working on behalf of FoAM Kernow is reported and properly dealt with. We therefore require all individuals to raise any concerns that they may have about the conduct of others in the organisation, or the way in which the organisation is run. This policy sets out the way in which individuals may raise any concerns that they have and how those concerns will be dealt with.

A qualifying disclosure is one made by an employee who has a reasonable belief that any of the following is being, has been or is likely to be, committed: a criminal offence, a miscarriage of justice, an act creating risk to health and safety, an act causing damage to the environment, a breach of any other legal obligation, or concealment of any of the above. It is not necessary for you to have proof that such an act is being, has been, or is likely to be, committed – a reasonable belief is sufficient. You have no responsibility for investigating the matter – it is the organisation's responsibility to ensure that an investigation takes place. If you make a protected disclosure you have the right not to be dismissed, subjected to any other detriment or victimised because you have made a disclosure. We encourage you to raise your concerns under this procedure in the first instance.

Principles

Everyone should be aware of the importance of preventing and eliminating wrongdoing at work. Staff and others working on behalf of the organisation should be watchful for illegal or unethical conduct and report anything of that nature that they become aware of.

Any matter raised under this procedure will be investigated thoroughly, promptly and confidentially, and the outcome of the investigation reported back to the person who raised the issue. No employee or other person working on behalf of the organisation will be victimised for raising a matter under this procedure. This means that the continued employment and opportunities for future promotion or training of the worker will not be prejudiced because they have raised a legitimate concern. Victimisation of an individual for raising a qualified disclosure will be a disciplinary offence. If misconduct is discovered as a result of any investigation under this procedure, our disciplinary procedure will be used, in

addition to any appropriate external measures. Maliciously making a false allegation is a disciplinary offence. An instruction to cover up wrongdoing is itself a disciplinary offence. If told not to raise or pursue any concern, even by a person in authority such as a manager, you should not agree to remain silent. You should report the matter to the board of Directors.

Procedure

This procedure is for disclosures about matters other than a breach of your own contract of employment, which should be raised via the grievance procedure.

Any concerns should be raised with a Director, who will arrange an investigation of the matter – any active Director or Non-Executive Director may be contacted. The investigation may involve you and other individuals involved giving a written statement. Any investigation will be carried out in accordance with the principles set out above. Your statement will be taken into account and you will be asked to comment on any additional evidence obtained. The Director will take any necessary action, including reporting the matter to the full board of Directors and any appropriate government department or regulatory agency. The Director will also invoke any disciplinary action required. On conclusion of any investigation, you will be told the outcome and what the organisation has done, or proposes to do, about it. If no action is to be taken, the reason for this will be explained.

If you reasonably believe that the appropriate action has not been taken, you should report the matter to the relevant body. You can find the full list here:

<https://www.gov.uk/government/publications/blowing-the-whistle-list-of-prescribed-people-and-bodies--2>

Grievance Policy

The aim of this Grievance Procedure is to settle grievances or complaints fairly and it is intended to operate simply and quickly. Every effort will be made to resolve the issue at the earliest possible stage, and at each stage efforts will be made in order to avoid proceeding to the next stage and to settle the issue amicably. If an employee has a problem with any other member of staff, and is unable to sort it out informally, the matter should be referred to his/her line-manager. You may be able to agree an informal solution between you. If the problem is serious or remains unresolved or the employee wishes to raise the matter formally, the employee can use the formal grievance procedure. In the case of a grievance being taken out as a counter-grievance, or in response to the start of disciplinary action, it may be appropriate to deal with both issues at the same time. If appropriate, the disciplinary procedure may be temporarily suspended in order to deal with the grievance.

The Procedure

1. Raise the grievance in writing

The employee should raise a grievance with their line manager without unreasonable delay, normally within one month of the incident (or final incident) which gives rise to the complaint. If the grievance is against the line manager, the matter should be raised with any of the Directors or Non-Executive Directors. Whoever deals with the grievance at the meeting, will normally be excluded from hearing any appeal.

The employee must detail in writing the specific circumstance or circumstances which constitute the grievance, with dates, times, witnesses, etc. as applicable. Employees should stick to the facts and avoid insulting or abusive language.

2. Invitation to a Grievance Meeting

The line manager will invite the employee to attend a meeting, without unavoidable delay to discuss the matter. The meeting should ideally be arranged within five working days of receiving the written grievance. The line manager will also state that the employee is entitled to be accompanied by a trade union representative or work colleague at the meeting.

3. Grievance Meeting

Where possible, a note-taker, who must be uninvolved in the case will take down a record of the proceedings. The line manager (or Director, or Board of Directors, as appropriate) will introduce the meeting, read out the grounds of the employee's grievance, ask the employee if they are correct and require the employee to provide clarification regarding details of the grievance if unclear. The employee will be given the opportunity to put forward their case and say how they would like to see it resolved. The employee may call witnesses and refer to any documents previously provided to the line manager (or Director, or Board of Directors). The line manager (or Director, or Board of Directors) may question the employee and any of the employee's witnesses. The employee/companion will be given the opportunity to sum up but may not introduce any new material. The meeting may be adjourned by the line manager (or Director, or Board of Directors) if it is considered necessary to undertake further investigation. Any necessary investigations will be carried out to establish the facts of the case. The meeting will be reconvened as soon as possible.

Having considered the grievance, the line manager (or Director, or Board of Directors) will give their decision regarding the case in writing to the employee which will normally be within five working days. If appropriate, the decision will set out what action the employer intends to take to resolve the grievance or if the grievance is not upheld, will explain the reasons. This will also include notifying the employee of their right of appeal and the procedure to be followed.

4. Appeal

If still unresolved, the employee may refer the matter, in writing, to the Board of Directors. The employee wishing to appeal against a grievance decision, must do so in writing within five working days of receiving written notification of the grievance decision, stating the reasons for the appeal. Any documents submitted in support of the appeal must be attached. Arrangements for the appeal meeting will be made by the Chair (or the Vice-Chair if appropriate) who will ensure that a notetaker is present if possible. The appeal meeting should be held without unavoidable delay. Where possible, at least two members of the Board will constitute an Appeal Panel. The trustee or trustees hearing the appeal should, if at all possible, have had no direct involvement in the case. The employee is entitled to be accompanied by a trade union representative or work colleague at the appeal. The meeting may be adjourned by the Appeal Panel or person hearing the appeal, if it is considered necessary to undertake further investigation. The meeting will be reconvened as soon as possible. The decision of the Appeal Panel or person hearing the appeal shall be final.

Disciplinary Policy

This procedure is designed to help and encourage all employees to achieve and maintain standards of conduct, attendance and job performance. The company rules (a copy of which is displayed in the office) and this procedure apply to all employees. The aim is to ensure consistent and fair treatment for all in the organisation.

Principles

Informal action will be considered, where appropriate, to resolve problems.

No disciplinary action will be taken against an employee until the case has been fully investigated.

For formal action the employee will be advised of the nature of the complaint against them and will be given the opportunity to state his or her case before any decision is made at a disciplinary meeting.

Employees will be provided, where appropriate, with written copies of evidence and relevant witness statements in advance of a disciplinary meeting.

At all stages of the procedure the employee will have the right to be accompanied by a trade union representative, or work colleague.

No employee will be dismissed for a first breach of discipline except in the case of gross misconduct, when the penalty will be dismissal without notice or payment in lieu of notice.

An employee will have the right to appeal against any disciplinary action.

The procedure may be implemented at any stage if the employee's alleged misconduct warrants this.

Procedure

This will normally be either:

- an improvement note for unsatisfactory performance if performance does not meet acceptable standards. This will set out the performance problem, the improvement that is required, the timescale, any help that may be given and the right of appeal. The individual will be advised that it constitutes the first stage of the formal procedure. A record of the improvement note will be kept for 12 months, but will then be considered spent – subject to achieving and sustaining satisfactory performance.
- or
- a first warning for misconduct if conduct does not meet acceptable standards. This will be in writing and set out the nature of the misconduct and the change in behaviour required and the right of appeal. The warning will also inform the employee that a final written warning may be considered if there is no sustained

satisfactory improvement or change. A record of the warning will be kept, but it will be disregarded for disciplinary purposes after 12 months.

Final written warning: If the offence is sufficiently serious, or if there is further misconduct or a failure to improve performance during the currency of a prior warning, a final written warning may be given to the employee. This will give details of the complaint, the improvement required and the timescale. It will also warn that failure to improve may lead to dismissal (or some other action short of dismissal) and will refer to the right of appeal. A copy of this written warning will be kept by the supervisor but will be disregarded for disciplinary purposes after 12 months subject to achieving and sustaining satisfactory conduct or performance.

Dismissal or other sanction: If there is still further misconduct or failure to improve performance the final step in the procedure may be dismissal or some other action short of dismissal such as demotion or disciplinary suspension or transfer (as allowed in the contract of employment). Dismissal decisions can only be taken by the appropriate senior manager, and the employee will be provided in writing with reasons for dismissal, the date on which the employment will terminate, and the right of appeal. If some sanction short of dismissal is imposed, the employee will receive details of the complaint, will be warned that dismissal could result if there is no satisfactory improvement, and will be advised of the right of appeal. A copy of the written warning will be kept by the supervisor but will be disregarded for disciplinary purposes after 12 months subject to achievement and sustenance of satisfactory conduct or performance.

Gross misconduct: The following list provides some examples of offences which are normally regarded as gross misconduct:

- theft or fraud
- physical violence or bullying
- deliberate and serious damage to property
- serious misuse of an organisation's property or name
- deliberately accessing internet sites containing pornographic, offensive or obscene material
- unlawful discrimination or harassment
- bringing the organisation into serious disrepute
- serious incapability at work brought on by alcohol or illegal drugs
- causing loss, damage or injury through serious negligence
- a serious breach of health and safety rules
- a serious breach of confidence.

If you are accused of an act of gross misconduct, you may be suspended from work on full pay, normally for no more than five working days, while the alleged offence is investigated. If, on completion of the investigation and the full disciplinary procedure, the organisation is satisfied that gross misconduct has occurred, the result will normally be summary dismissal without notice or payment in lieu of notice.

Appeals: An employee who wishes to appeal against a disciplinary decision must do so within five working days. A Director will hear all appeals and their decision is final. At the appeal any disciplinary penalty imposed will be reviewed.

Data Management Policy

All our work is made available non-exclusively under open access, Open Source Initiative (OSI) approved and/or Creative Commons licences. Our focus on open licences is a key strategy to maximise the societal benefits of our work. For those working with FoAM Kernow as subcontractors/freelancers, our contracts state that all IP they generate is owned by them, on the condition that it is made available non-exclusively via open source licensing or open access publishing.

We do not produce websites with trackers or Single Sign-Ons, and do not collect personal information through our software, with the exception of basic demographic data for some citizen science projects where consent is required. We have included a clause in our contractual quotes to ensure that data collected for citizen science experiments is made freely available to all, and that resulting publications are made open access, as we believe is reasonable given that people have freely contributed their time to generate the data.

When personal data is collected for workshop/event participation (usually just name and email), it is stored on a hard drive that is not accessible via the internet, and deleted as soon as it is no longer needed for that project. We use end-to-end encryption on internal emails, and are very happy to use it with any collaborators who provide us with their public key. Our mailing list is opt-in, with the ability to opt-out at any time.

Data collected for day to day running of the business such as financial records and client information is stored in an off-site location using automated encrypted weekly backup to a remote server.

Procurement Policy

All expenses processed through FoAM Kernow accounts will be treated as if they were paid for by public funds irrespective of the actual source of funds.

All expenditure and contracts must be agreed in advance with a Director.

Spending limits are not in place – purchases must be made with ethical considerations first, and price second. For example if a more ethically produced or sustainably sourced item is available then this takes priority over cost. Where possible local, sole trader, and small business suppliers should be prioritised over multinationals. We avoid companies with known human rights or environmental violations, and shorten supply chains wherever possible. If it can be made in-house, it should be.

Platinum Open Access publications are preferred. Article Processing Charges will only be paid for non-profit Open Access journals with CC-BY licences, where a fee waiver has already been explored. No publications may be submitted to non-open-access or for-profit journals.

Competitive bidding is not required unless stipulated by a funder, in which case the funder's regulations are to be followed.

Travel and Subsistence Policy

Employees should neither profit nor suffer a financial loss whilst undertaking FoAM Kernow business. All expenses processed through FoAM Kernow accounts will be treated as if they were paid for by public funds irrespective of the actual source of funds.

All expenditure must be agreed in advance with a Director.

Travel must be by the cheapest class available, and by the lowest carbon emissions option available – public transport is preferred. Multiple trips should be combined into tours to reduce total travel where possible. Flights are not acceptable unless absolutely necessary – intra European travel should take place by train or ferry, otherwise we will support online collaboration and events.

Accommodation can be booked as required, with prior agreement from a Director.

We do not cover daily subsistence costs unless specifically agreed with a Director.

We understand that claimants with disabilities, medical conditions, or care responsibilities for example may have additional needs when travelling and staying in hotel accommodation.

Expense claim forms must be submitted to a Director together with an original VAT receipt or print-out of a VAT receipt email, and will then be reimbursed within 2 weeks.

Grant and Project Financial Administration Policy

Our projects typically fall into one of the following categories, agreed with our accountants:

1. Commissions. These are either direct commissions, for example from a museum or individual, or they are cases where we have helped develop a project or write a funding application but the funder does not accept the organisation as an eligible collaborating partner (NERC and BBSRC for example).

2. Collaborations. These are projects where we have helped develop the project or write a funding application, and the funder does accept the organisation as an eligible collaborating partner (Wellcome Trust for example).

3. Direct Funding. These are projects where we have applied for funding directly, as an eligible organisation, and are leading or hosting the project (there may be additional collaborators or subcontractors).

Administratively the main difference between these categories is VAT classification. For commissions we must charge VAT, and can therefore reclaim VAT on materials/equipment purchased for that project. For collaborations there must be a formal collaboration agreement in place, then the project will count as a redistribution of funding, and we do not

need to charge VAT, and can not reclaim VAT. For direct funding we do not need to charge VAT, and can not reclaim VAT.

Other project types must be considered on a case-by-case basis by the Directors, according to HMRC regulations.

All projects with expenses such as materials, equipment, or subcontractors must have their own account within the accounting software (Odoo), so that the costs associated with any project can be separated easily should an audit be required.

Receipts and invoices (including VAT breakdown) must be kept for all expenditure in digital form, and all subcontractors and employees must be properly contracted and must invoice in order to be paid. If a receipt is not available for a VAT-eligible project expenditure, VAT can and will not be reclaimed on that item.

Where grant funding requires time sheets to be kept (e.g. EU Horizon2020 funding), each member of staff involved is responsible for keeping a daily log of hours spent on the project, and this should be signed off by a Director monthly or at another agreed regular interval.

All projects requiring financial reporting (usually Direct Funding projects) must have a spreadsheet of expenditure to monitor spending in real-time, and this must be available for the Directors to view at any point (for example via a shared online document on NextCloud or Google Docs).

At least monthly, coinciding with PAYE, the financial status of the organisation is reviewed by a Director, and adjustments are made where necessary to ensure cash flow (retaining 6 months of full studio running costs in the account at all times). The Directors remuneration via PAYE is adjusted monthly depending on this review.

Integrity, Ethics, Misconduct & Conflicts of Interest Policy

Much of our funding originates as public funding, and we are a non-profit organisation, as such we take our ethics seriously.

Wherever possible, we adopt an open workflow to maximise opportunities for public review and oversight. Project progress is written up in a publicly available form (e.g. on the FoAM blog), code is made available as it progresses via GitHub/GitLab for example (not just at the end of the project), publications are open access and CC-BY and preprints are posted wherever possible (pre-registration is also prioritised where relevant), and all funding and organisations involved are disclosed on project web pages on the FoAM website.

Any ethical issues relating to a project must be considered and identified before seeking funding, agreeing to a contract or collaboration – with understanding that there may be unknown unknowns and imaginative precautionary approaches may be necessary. Where research ethics are involved, collaboration must involve a university and ethics approval sought through their standard ethics approval process. Before any such work requiring approval begins, approval must have been granted.

Examples of misconduct include data fabrication, falsification, plagiarism (if in doubt about how to attribute work, the Directors can help), misrepresentation, breaches of care, or withholding information about any of these.

Conflicts of interest can include professional, personal or commercial interests, and will need to be considered on a project-by-project basis.

Where project funders have specific guidelines on integrity, ethics, misconduct and conflicts of interest these must be followed.

If ethical issues, misconduct, or conflicts of interest are identified, they must be brought to the attention of a Director or the Board of Directors (whistleblowing, grievance and/or disciplinary procedures will be acted on at this point if required).

Anti-Fraud, Corruption & Bribery Policy

It is our policy to conduct all of our business in an honest and ethical manner. We take a zero-tolerance approach to corruption, bribery, fraud or other financial irregularity and we are committed to acting professionally, fairly and with integrity in all our business dealings and relationships wherever we operate and in implementing and enforcing effective systems to counter any acts of bribery or corruption. We will uphold all laws relevant to countering bribery, corruption and fraud, including the Bribery Act 2010. Bribery and corruption are punishable for individuals by up to ten years' imprisonment and if we are found to have taken part in corruption we could face an unlimited fine, be excluded from tendering for public contracts and face damage to our reputation.

The purpose of this policy is to: (a) set out our responsibilities and of those working for us, in observing and upholding our position on corruption, bribery, fraud or other financial irregularity; and (b) provide information and guidance to those working for us on how to recognise and deal with corruption, bribery and fraud issues.

We are a small organisation and are unlikely to face considerable bribery and corruption risks, but nonetheless need to be aware of potential risks. Any alleged failure to follow this policy will be investigated (and, where appropriate, action taken), and we reserve our right to terminate our contractual relationship with other workers and organisations if they breach this policy

Financial irregularity: may be defined as the breach of the standards of financial integrity required by the organisation. Irregularities fall broadly within the categories set out below.

Bribery is offering, promising, giving or accepting any financial or other advantage, to induce the recipient or any other person to act improperly in the performance of their functions, or to reward them for acting improperly, or where the recipient would act improperly by accepting the advantage. An advantage includes money, gifts, loans, fees, hospitality, services, discounts, the award of a contract or anything else of value. A person acts improperly where they act illegally, unethically, or contrary to an expectation of good faith or impartiality, or where they abuse a position of trust. The improper acts may be in relation to any business or professional activities, public functions, acts in the course of employment, or other activities by or on behalf of any organisation of any kind. Facilitation

payments, also known as “back-handers” or “grease payments” are unofficial payments made to secure or expedite a routine or necessary action (for example, by a government official). Kickbacks are typically payments made in return for a business favour or advantage.

Corruption is the abuse of entrusted power or position for private gain.

Fraud is intentionally deceiving someone in order to gain an unfair or illegal advantage or to deprive someone of their legal rights. Fraud generally implies an act of theft, the intentional distortion of financial statements or other accounting records by persons internal or external to the organisation (or in collusion) to conceal the misappropriation of assets, or otherwise, for gain. The organisation will investigate all reports of fraud or potential fraud and will make every attempt to recover its losses and restore assets. The organisation will report fraud or attempted fraud, as appropriate to the police.

Theft is the dishonest taking of property belonging to the organisation, a subcontractor, a member of staff, a student/volunteer, or a visitor.

The organisation could also be liable if someone who performs services for it, for example an employee, pays a bribe on behalf the organisation for the purpose of getting/keeping business or to gain a business advantage and the organisation did not have adequate procedures in place to prevent such conduct.

What is not acceptable?

It is not acceptable for us (or someone on our behalf) to:

- give, promise to give, or offer, a payment, gift or hospitality with the expectation or hope that a business advantage will be received, or to reward a business advantage already given;
- give, promise to give, or offer, a payment, gift or hospitality to a government official, agent or representative to "facilitate" or expedite a routine procedure or approval process;
- accept payment from a third party that you know or suspect is offered with the expectation that it will obtain a business advantage for them;
- accept a gift or hospitality from a third party if you know or suspect that it is offered or provided with an expectation that a business advantage will be provided by us in return;
- threaten or retaliate against another worker who has refused to commit a bribery offence or who has raised concerns under this policy; or
- engage in any activity that might lead to a breach of this policy.

Facilitation payments and kickbacks: We do not make, and will not accept, facilitation payments or "kickbacks" of any kind. If you are asked to make a payment on our behalf, you should always be mindful of what the payment is for and whether the amount requested is proportionate to the goods or services provided. You should always ask for a receipt which details the reason for the payment. If you have any suspicions, concerns or queries regarding a payment, you should raise these with a Director/the Board of Directors. All workers must avoid any activity that might lead to, or suggest, that a facilitation payment or kickback will be made or accepted by us.

Gifts and Hospitality: This policy does not prohibit the giving or accepting of reasonable and appropriate hospitality (given and received) to or from third parties for legitimate purposes, such as building relationships, improving or maintaining our image or reputation or marketing the organisation effectively. The giving or receipt of gifts is not prohibited, if the following requirements are met:

- It is not made with the intention of influencing a third party to obtain or retain business or a business advantage, or to reward the provision or retention of business or a business advantage, or in explicit or implicit exchange for favours or benefits, for example during contractual negotiations or a tender process;
- it complies with local law;
- it is given or received in the organisation's name, not in your name;
- it is appropriate in the circumstances and is not unduly lavish or extravagant. For example, in the UK it is customary for small gifts to be given at Christmas time;
- it is not given or received in cash (or a cash equivalent);
- it is given openly, not secretly; and
- gifts should not be offered to, or accepted from, government officials or representatives, or politicians or political parties.

We appreciate that the practice of giving business gifts varies between countries and regions and what may be normal and acceptable in one region may not be in another. The test to be applied is whether in all the circumstances the gift or hospitality is reasonable and justifiable. The intention behind the gift should always be considered. Promotional gifts of low value such as branded stationery to or from existing customers, suppliers and partners will usually be acceptable.

Donations: We do not make contributions to political parties. We only make charitable donations that are legal and ethical under local laws and practices. No donation must be offered or made without the prior approval of a Director.

Your responsibilities

Anyone working under FoAM Kernow must ensure that they read, understand and comply with this policy. The prevention, detection and reporting of bribery, fraud and other forms of corruption are the responsibility of all those working for us or under our control. All workers are required to avoid any activity that might lead to, or suggest, a breach of this policy.

Record-keeping

We must keep financial records and have appropriate internal controls in place which will evidence the business reason for making payments to third parties. We must keep a written record of all hospitality or gifts accepted or offered. All accounts, invoices, and other records relating to dealings with third parties including suppliers and customers should be prepared with strict accuracy and completeness. Accounts must not be kept "off book" to facilitate or conceal improper payments.

How to raise a concern

You are encouraged to raise concerns about any issue or suspicion of malpractice at the earliest possible stage. If you are unsure whether a particular act constitutes bribery, fraud, corruption or other irregularity, or if you have any other queries, these should be raised with a Director or the Board of Directors. You should raise a concern as soon as possible if you believe or suspect that a conflict with this policy has occurred, or may occur in the future.

What to do if you are a victim of bribery, fraud or corruption

It is important that you tell a Director/the Board of Directors as soon as possible if you are offered a bribe by a third party, are asked to make one, suspect that this may happen in the future, or believe that you are a victim of another form of unlawful activity.

Protection

Workers who refuse to accept or offer a bribe, or those who raise concerns or report another's wrongdoing, are sometimes worried about possible repercussions. We aim to encourage openness and will support anyone who raises genuine concerns in good faith under this policy, even if they turn out to be mistaken. We are committed to ensuring no one suffers any detrimental treatment as a result of refusing to take part in bribery, fraud or corruption, or because of reporting in good faith their suspicion that an actual or potential bribery or other corruption offence has taken place, or may take place in the future. Detrimental treatment includes dismissal, disciplinary action, threats or other unfavourable treatment connected with raising a concern. If you believe that you have suffered any such treatment you should raise it formally to a Director or the Board of Directors.

Training

Training on this policy is available to all workers to whom this policy applies and budget holders to ensure that they are aware of their obligations and responsibilities. If you wish to undertake appropriate training, please contact a Director.

Our zero-tolerance approach to corruption, bribery and fraud must be communicated to all suppliers, contractors and business partners at the outset of our business relationship with them and as appropriate thereafter.

Who is responsible for the policy?

The board of directors has overall responsibility for ensuring this policy complies with our legal and ethical obligations, and that all those under our control comply with it. The Directors have primary and day-to-day responsibility for implementing this policy, for monitoring its use and effectiveness, dealing with any queries on its interpretation, and for ensuring those reporting to them are made aware of and understand this policy.

Monitoring and review

The Directors will monitor the effectiveness and review the implementation of this policy, regularly considering its suitability, adequacy and effectiveness. Any improvements identified will be made as soon as possible. Internal control systems and procedures will be subject to regular audits to provide assurance that they are effective in countering bribery and corruption. All employees are responsible for the success of this policy and should ensure they use it to disclose any suspected danger or wrongdoing. Employees are invited to comment on this policy and suggest ways in which it might be improved. Comments, suggestions and queries should be addressed to the Directors.

Risk Management Policy

The purpose of the risk management policy is to provide guidance regarding the management of risk to support the achievement of company objectives, protect staff and business assets and ensure financial sustainability.

Each project with total budget greater than £100K will have a risk register which will be used to identify risks, their categorisation, mitigation and contingencies on a project by project basis. These risk registers will be reviewed by the company Directors on a quarterly basis.

What Makes a FoAM Project?

To be considered a FoAM project the answer must be YES to at least one of these questions (the more the better):

- Does it approach complex issues from different perspectives?
- Does it encourage connections between unexpected fields, cultures and worldviews?
- Can it function as a connector - between disciplines, people, philosophies?
- Will it include people from a field that is unknown to you and/or FoAM?
- Does it have a scientific or technological element?
- Is it playful?
- Does it foster speculative culture ('what if...' or 'how could things be...')?
- Does it encourage participation?
- Does it encourage reflection?
- Does it free knowledge or skills for more people, or more diverse people?
- Does it create a world - a complete experience?
- Does it focus on whole lifecycle and have a holistic worldview?

It is our policy to reject projects that fulfil any of the following criteria:

- Is it one dimensional (i.e. is it dealing with a single issue, using a single approach, by a single individual)?
- Is it wasteful (in terms of human & electrical energy, waste products, time)?
- Is it unsustainable (environmentally, socially, culturally)?
- Does it focus on producing an artefact for its own sake (without taking the whole lifecycle of the artefact into account)?
- Is it one-directional (i.e. is it 'for' people instead of 'with' people)?
- Does it create knowledge that will not be made freely available?
- Does it require a big, expensive production to produce a temporary result (e.g. a large installation on a 2 day festival)?
- Does it separate thinkers from makers?
- Does it treat scientists & technologists as 'technicians', artists & designers as 'prettifiers', or crafts and trades people as 'manual labour'?

We remain open at all times to suggestions for improving our work and organisational structures.

Amber Griffiths

Amber Griffiths
Director, FoAM Kernow
20 May 2021