

Ethical Fundraising and Gift Acceptance Policy

Status	Approved	Named Trustee	David Canfield
Initial Review	Dec 2022	Reviewed By	Lisa Ball, HR, Trustees
Last Review	08/03/24	Approved by Trustees Date	27/03/24
Next Review	08/03/26	Links Last Checked	n/a

Purpose

This policy sets out how we manage the ethical issues and social responsibility within fundraising including the acceptance of gifts.

Specifically, we aim at all times to be open, honest, fair and to operate in a legal way that meets not only the law, but also fundraising regulation and best practice, including the Code of Fundraising Practice. Everyone who is involved in fundraising has a responsibility to be aware of and comply with the ethical issues and procedures in this policy.

We will always be mindful to have the discretion not to accept donations where we believe individuals or business may harm our reputation or that of our founder.

Values

Our values are:



Optimistic yet realistic

Look to the future but prioritise the present.



Include intentionally

Foster an open culture.



Deliver with Integrity

Always uphold honesty, act within our morals & ensure we are dependable.



Empowerment

Feedback empathetically, always act with understanding, support and value.

People And Organisations

Trustees

The trustees are aware of and will comply with Charity Commission guidance CC3a, regarding trustee's responsibilities, particularly in relation to always acting in the charity's best interests and managing any conflicts of interest.

The trustees are also aware of and follow the 6 principles in Charity Commission 20 (Charity Fundraising: a guide to trustee's duties).

We will always be honest about what we can achieve when asking for funds, submit realistic budgets, use the funds for the purpose intended and ensure that we provide any reports required, on time.

We will ensure that everyone is aware of and consistently complies with the regulatory guidance on fundraising behaviours and respond promptly and effectively to any fundraising complaints.



Ethical Fundraising

Supporters

Supporters have a right to expect us to provide clear, truthful information on our work, including reporting on how we spend the funding we are given and managing donors' information responsibly.

We will comply with the guidance issued by the Charity Regulators and UK law, including in respect of openness and honesty with our supporters and members of the public.

We will respect the privacy and contact preferences of our donors. We will respond promptly to requests to cease contacts or complaints and act to address their causes.

Young People

How we represent our young people, in our communications, is always respectful of them and portrays them in the way they would wish to be seen. We will only use personal information that they have given consent for and for the purposes they have agreed and will not disclose anything that might put them at risk, particularly children and vulnerable people.

Bullying And Abuse

The trustees have zero tolerance for abuse, including discrimination, bullying and sexual harassment, not only for fundraising staff and volunteers, but for anyone who is involved with our charity. We will maintain a culture of respect and equality, will ensure that there are processes to raise concerns that everyone is aware of and is confident to use and we will deal with any allegations of abuse promptly, sensitively and in accordance with employment and any other laws.

Vulnerable Individuals

In communicating with potential or existing donors we will be mindful of indicators that may suggest they may be vulnerable, using REAL:

- **Retain** - and repeat the information you have given them?
 - Do you have to repeat what you have said over and over again?
- **Explain** - able to properly explain or communicate the decision they have made?
 - Are they joining in the discussion or just agreeing with what you are saying?
 - Are they asking questions that aren't related to what you are saying?
- **Able** - to understand what they are being told?
- **Listen** – able to listen, follow and understand the discussion taking place, or are they just repeating what you say?

If an individual shows signs of possible vulnerability, we will:

- Consider communication preferences.
- Not make assumptions about them.
- Ask them what they need and how you can help them better.
- Empathise and sympathise with them.



- Try asking questions in a different way.
- Summarise anything that has been decided or agreed in plain English.

We:

- Will not place any undue pressure on individuals to donate.
- Do not either solicit nor accept donations from anyone whom we know or think may not be competent to make their own decisions.
- Are sensitive to any particular need that a donor may have.

Commercial Partners

We will not partner with any organisation that produces goods/services or acts in a way that is contrary to our charitable objects, or values.

We are aware of and comply with the Charity Commission RS2 – Charities and Commercial Partners. We will ensure that any commercial agreement represents a fair deal for the charity and:

- Clearly establishes what we expect to gain from it, prior to entering into an agreement.
- Set up appropriate systems to monitor and review the partnership.
- Take appropriate steps to identify and manage any risks.
- Ensure from the outset that the expectations of both the charity and the company have been agreed and can be managed effectively and appropriately.

We will disclose any commercial partnerships in our Annual Report.

Statutory Authorities

They will also be mindful of RR7 - Independence of Charities from the State. In particular, they will ensure that they remain independent and that any funding provided does not discharge the statutory duties of the State.

Systems And Procedures

Donations

If supporters wish their donation(s) to be used in a specific way, or for a specific purpose, they may make a restricted donation by providing written instructions with their donation. We will always respect this.

Refusals

We abide by the law which requires us, in deciding whether to accept or refuse a donation, to consider which action is in the charity's best overall interest. We have adopted a Refusals & Acceptance of Donations policy, which covers this in detail.

Due Diligence

We will undertake reasonable due diligence of donors, to ensure they don't hold views or are involved in activities that might be incompatible with our role and damage our reputation. In terms of donations, we



will ensure that any gift is safe to accept and, doing so, would be in the best interests of the charity. We will also consider managing large anonymous gifts or those from vulnerable individuals.

Gift Acceptance

1. Purpose:

The purpose of this Gift Acceptance Policy is to provide guidance to staff, trustees, and in particular, fundraisers at Caudwell Youth in accepting gifts in a manner consistent with the organisation's mission, values, and ethical standards.

The policy serves to protect donors, service users, Caudwell Youth and the stakeholders for the charity.

2. Scope:

This policy applies to all fundraising activities conducted on behalf of Caudwell Youth, including donations, grants, sponsorships, and other forms of support.

3. Principles:

The key principles within this policy follow the ethical fundraising policy.

- **Alignment with Mission:** All gifts must align with the mission and priorities of Caudwell Youth; to provide individualised support to 11–24-year-olds at-risk, to positively shape their future.
- **Legal and Ethical Compliance:** Fundraisers must comply with all applicable laws, regulations, and ethical standards regarding gift acceptance and reporting. Including guidance in the Code of Fundraising Practice published by the Fundraising regulator (Code of Fundraising Practice | Fundraising Regulator)
- **Transparency and Accountability:** The acceptance of gifts must be transparent, accountable, and properly documented to ensure donor trust and organisational integrity.
- **Non-Discrimination:** Caudwell Youth does not discriminate against donors based on race, ethnicity, religion, gender, sexual orientation, disability, or any other characteristic protected by law.
- **Conflicts of Interest:** Staff accepting donations must avoid conflicts of interest and maintain independence and objectivity in accepting gifts.

4. Types of Gifts Accepted:

- **Cash Donations:** Acceptance of cash donations is subject to verification of the donor's identity and compliance with anti-money laundering regulations.
- **In-Kind Contributions:** Gifts of goods or services must be relevant to the organisation's programs and mission and approved by the relevant department heads.
- **Bequests and Planned Gifts:** Bequests and planned gifts must be reviewed by legal and financial advisors to ensure compliance with legal requirements and alignment with the organisation's mission.
- **Restricted Gifts:** Donors may designate gifts for specific purposes, provided such purposes are consistent with Caudwell Youth's mission and where necessary, under Reserve Powers, approved by the Board of Trustees.



- Other gifts the charity deems appropriate to accept.

5. Ethical Background:

Caudwell Youth uses rights balancing ethics to establish if gifts should be accepted. This balances the duties to donors and service users alike. In ethical decisions, Caudwell Youth will consult with stakeholders and use the guidance available in the Code of Fundraising practice, and the Ethical decision making framework published by Rogare in rethinking fundraising ethics (Rethinking Fundraising Ethics 2021.indd (rogare.net)). Caudwell Youth will make all gift acceptance decisions in line with its ethical fundraising policy.

6. Decision-Making Process:

According to the Chartered Institute of fundraising, donations to charities should only be refused in exceptional circumstances. These are:

- It comes from illegal sources (this is law not ethics)
- It is detrimental to achieving Caudwell Youth's purpose and conflicts with our mission
- There is a reputational risk to the charity i.e. loss of other donations, loss of volunteers, loss of staff. Anticipated detriment must be set against the benefit from having funds that would allow the charity to pursue its mission.

Caudwell Youth has set out the below list of criteria to support staff and trustees in making decisions about accepting gifts. The following should be considered as guidance. This set of criteria does not act as a checklist and the policy should be taken as guidance only. The purpose of this list is to support fundraising staff in identifying if there are any good reasons not to accept a donation.

We will accept all donations unless:

- A. The donation is given from someone in a vulnerable position or who lacked mental capacity at the time of donation.
- B. The donor attaches conditions which are contrary to Caudwell Youth objectives.
- C. The donor makes demands that are unreasonable in relation to the nature of support.
- D. Where the charity through their due diligence is aware that money has been raised through illegal or criminal means.
- E. The cost of accepting the donation is greater than the donation itself.
- F. The donation consists of goods services or property which we cannot lawfully use, convert, exchange, or sell in direct support of our charitable objectives.
- G. There is a personal benefit to an employee, volunteer or trustee associated with the donation.
- H. The objectives of the donor are directly hostile to the charity's objectives.*
- I. The money has been raised through means a charity deemed not to be morally acceptable.**
- J. Accepting donations would divert from our stated aims and priorities.

Possible challenges to consider:



* According to the fundraisers code of conduct if a donation does not match the charity's values or mission and Caudwell Youth wishes to refuse the donation, they need to be able to demonstrate (with evidence) that acceptance of the donation would be detrimental to the achievement of their purposes.

** Caudwell Youth should be careful when stating 'morally acceptable' as this is an ambiguous term. By using this term, Caudwell Youth are not suggesting that they are the gatekeeper of moral acceptance. It is recognised that the use of this clause could leave Caudwell Youth open to claims of discrimination when refusing a donation. It also leaves room for staff to involve their personal values on what is morally acceptable when deciding about a donation. This clause is, however, necessary to ensure that the method of fundraising from a potential donor does not negatively influence other donations based upon the way it was raised. To effectively evaluate a donation based on the moral acceptability of the way it was raised Caudwell Youth should ensure they are evaluating the donation itself and not the donor.

7. Acknowledgment and Recognition:

- Gratitude: Caudwell Youth acknowledges and expresses gratitude for all gifts received, regardless of size or form.
- Recognition: Donors may be recognised publicly or privately, as per their preferences and in accordance with the organisation's donor recognition policies.

8. Documentation and Reporting:

- Recordkeeping: Staff must maintain accurate records of all gift transactions, including donor information, gift details, and any restrictions or conditions. Gifts that have been declined will also be recorded.
- Reporting: Financial reports and disclosures related to gifts must be prepared and submitted in accordance with legal and regulatory requirements.

9. Confidentiality:

- Donor Privacy: Caudwell Youth respects the privacy of donors and safeguards their personal information in accordance with applicable data protection laws and organisational policies.

10. Review and Revision:

- Regular Review: This Gift Acceptance Policy shall be reviewed periodically by the Board of Trustees and revised as necessary to reflect changes in laws, regulations, and organisational needs.
- Communication: Any revisions to this policy shall be communicated to all relevant stakeholders, including fundraisers, staff, and volunteers.

11. Compliance:

- Training and Awareness: Staff shall receive training and guidance on this policy to ensure compliance and understanding of their responsibilities.
- Consequences of Non-Compliance: Non-compliance with this policy may result in disciplinary action, up to and including termination of employment or legal action, as appropriate.



12. Contact Information:

For questions or clarification regarding this policy, fundraisers may contact grants@caudwellyouth.org or a member of the senior leadership team.

