



Fundraising Policy

Document Control

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1. Purpose and scope of the Policy

Bedford Creative Arts (BCA) is a registered charity and relies on funding from a range of sources to manage its activities. Most of our funding comes from Arts Council England, charitable trusts and foundations, and local authorities. We also obtain corporate sponsorship, corporate donations and donations from individuals to support our work.

This policy provides guidance on how fundraising at BCA will be managed to ensure we uphold our statutory, legal and regulatory requirements as well as safeguarding our reputation with regard to fundraising activities. It seeks to provide reassurance to donors and funders that their funds will be used appropriately and that fairness and transparency is applied to all funders and donors.

BCA requires all employees, trustees and other volunteers or professionals working on our behalf to adhere to these ethical practices when soliciting potential funds for the benefit of the charity.

We are registered with the Fundraising Regulator and are committed to maintaining good practice in fundraising in adherence of their Code of Fundraising Practise and the Fundraising Promise.

This Policy will be displayed on our website and provided to any third party on request.

2. Definitions

Fundraising can take many forms. For the purposes of this policy the following definitions will be used:

2.1 A **“grant”** is cash given to an individual or an organisation for a specific purpose. There is an obligation to fulfil any criteria the funding body may place upon the grant i.e. to ensure the project that is funded satisfies their aims and objectives and proceeds as outlined during the grant application process. Funding bodies usually require some level of profile in return for their grant and this should be in proportion to the size of grant and agreed in writing before accepting the grant. This is usually in the form of a logo or line credit with agreed wording in publicity. Grants should always be documented in some form of written agreement between the parties.

2.2 A **“donation”** is a gift for which no direct benefit is sought. A donation may take various forms including cash, services or goods and can be from an individual or an organisation. A donor’s name or list of donors may be displayed or included in publicity if BCA chooses to do so by way of thanks. It must be made clear to the donor that any decision to display or include the donor’s name is at the sole discretion of the charity. Cambridge Live is entitled to claim Gift Aid on donations from individuals where a Gift Aid Declaration is made that confirms that the individual is tax resident in the UK and has paid tax during the period in which the donation is made.

2.3 **“Sponsorship”** is where a business provides money in order to secure the marketing and promotion of its business name, products, services or image. Sponsorship may also include the giving of services or goods for the same in return. It is usually a taxable supply (noting that BCA is not currently VAT registered).

2.4 A **“membership”** scheme is where a donor makes a gift to a charity in return for a limited programme of benefits e.g. exclusive newsletters, VIP treatment. The value of the benefits given must not outweigh the value of the membership. If the value of the benefits is less than the total

value of the membership, then the membership may be divided into a donation and a payment for services.

3. Fundraising Practices

At the heart of fundraising ethics lies the need to ensure that our mission, our sense of integrity, and the trust of the funder/donor are not violated. This requires openness, transparency and respect.

The following practises are employed by BCA to ensure this is upheld:

3.1 Fundraising solicitations on behalf of BCA will:

- be truthful;
- accurately describe BCA's activities and the intended use of solicited funds;
- respect the dignity and privacy of those who benefit from BCA's activities;
- be ceased on the request of the prospective donor/funder;

3.2 BCA will accept funds provided that they:

- ensure that the benefit of the gift/fund is considered good value in proportion to the resource required to obtain it;
- have an association with a funder that will not bring BCA into disrepute or damage its integrity/reputation or be likely to result in a loss of income;
- provide a strategic fit with the work of the charity and do not conflict with its mission and aims;
- do not compromise our independence and ensure we maintain this position on social, cultural, educational, environmental and political issues and concerns;
- do not exert influence on our policy or actions either implicitly or explicitly (and support adherence to the Bribery Act)
- are given from donors/funders that, as far as we can ascertain, are wholly compliant with applicable law and regulation.

3.3 BCA will not accept funds if:

- the donor/funder has unethical business practises e.g. animal welfare, human rights etc;
- the donor/funder is involved in the production or promotion of tobacco, pornography, weaponry, gambling or similar activities;
- the donor/funder has a conflict of interest with BCA;
- is in financial or legal conflict with BCA;
- does not uphold equivalent values and respect for diversity and equality of opportunity.

The above list is not exhaustive and BCA retains the right to decline funding from any funder, which BCA in its sole discretion considered to be inappropriate.

If the Director feels that a donation or prospective donation might conflict with any of the principles set out above then the gift or donor will be referred to the Board of Trustees for further scrutiny. If the Board does not consider there to be a conflict, then the solicitation plan will resume; if it agrees that there is a conflict, then the solicitation plan will cease.

3.4 BCA may accept sponsorship from a business associated with the supply or promotion of alcohol provided that the funder adheres to the Portman Code of Practice on Alcohol Sponsorship available

from: <http://www.portmangroup.org.uk> (e.g. ensuring that alcoholic products are not promoted to those under 18 years of age or associated with activities where more than 25% of the audience is under 18 years).

3.5 BCA will abide by all applicable laws and regulations relating to the acceptance, solicitation and use of funding/donations including fundraising in accordance with the guidance provided by the Fundraising Regulator in the Fundraising Code of Practice and Fundraising Promise.

3.6 Volunteers, employees, trustees and hired fundraisers who solicit or receive funds on behalf of BCA shall disclose immediately any actual or apparent conflict of interest, which will be considered by the Board of Trustees before any fundraising can proceed to ensure they act in the best interests of the charity.

3.7 Paid fundraisers, whether staff or consultants, will be compensated by a salary, retainer, or fee, and will not be paid finders' fees, commissions, or other payments based on either the number of gifts received or the value of funds raised.

3.8 The Board will be informed at least annually of the number, type, and disposition of any complaints received from funders/donors or prospective funders/donors about matters that are addressed in this policy.

4. Funder/Donors' Rights

4.1 All fundraising solicitations by or on behalf of BCA will disclose our name and the purpose for which the funds are requested. Printed solicitations (however transmitted) will also include our address or other contact information.

4.2 Funders/donors and prospective funders/donors are entitled to the following, promptly upon request:

- the most recent annual report and financial statements
- confirmation of our charitable status
- a copy of this Fundraising Policy
- a copy of our Privacy Policy

4.3. Funder/donors and prospective funders/donors are entitled to know, upon request, whether an individual soliciting funds on behalf BCA is a volunteer, an employee, or a consultant or freelance fundraiser working on behalf of BCA.

4.4. Donors will be encouraged in writing to seek independent advice if BCA has any reason to believe that a proposed gift might significantly affect the donor's financial position, taxable income, or relationship with other family members. It will remain the donor's responsibility to consider such matters prior to making a gift.

4.5 Donors' requests to remain anonymous will be respected as far as is legally, practically, and ethically possible and in accordance with relevant Data Protection legislation.

4.6 The privacy of donors will be respected. Any donor records will be kept confidential to the greatest extent possible. Donors have the right to see their own donor record, and to challenge its accuracy.

4.7 Funders/donors and prospective funders/donors will be treated with respect. Every effort will be made to honour their requests to:

- limit the frequency of solicitations
- limit the amount or frequency of printed or online material concerning BCA that they are sent.

Funders/donors or prospective funders/donors who request no further contact will not be contacted for fundraising purposes.

4.8. Funders/donors have the right to ask that their donations be allocated to a specific area of BCA activity, and BCA will meet these requests, wherever possible and appropriate to deliver its mission. (See Financial Accountability, for the treatment of restricted donations).

4.9 BCA will respond promptly to any complaint by a funder/donor or prospective funder/donor about any matter that is addressed in this policy. All complaints will be handled under the terms of BCA's Complaint's and Feedback Policy.

5. Financial Accountability

5.1 BCA's financial affairs will be conducted in a responsible manner, consistent with the ethical obligations of stewardship and the requirements of charity and company legislation and national regulators.

5.2 All funding/donations will be used to support the charitable objectives/mission of BCA.

5.3 All restricted funding/donations will be used as agreed with the funder/donor. If necessary due to programme or organisational changes, alternative uses will be discussed where possible with the funder/donor or the donor's legal designate(s). If the donor is deceased or legally incompetent, and BCA is unable to contact a legal designate, the donation will be used in a manner that is as consistent as possible with the donor's original intent.

5.4 BCA's Annual Report of the Trustees and Financial Statement will:

- disclose the total amount of funding/donation income and expenditure;
- be factual and accurate in all material respects.

5.5 The cost effectiveness of BCA's fundraising will be reviewed on an annual basis by the Board of Trustees.

5.6 BCA will seek to maximise all donations from individuals by claiming gift aid from HMRC wherever possible. Donors will be asked for a gift aid declaration, which will be stored securely on our server system. Claims will be made to HMRC at least annually in line with requirements of current legislation.

5.7 Financial gifts from private donors over the value of £10,000 cannot be accepted without the prior scrutiny and approval of the Board of Trustees. This approval may be delegated to the Income Generation sub-committee.

6. Prospect Research and Data Protection

6.1 BCA will ensure it is compliant with the Data Protection Act 2018 and the Privacy and Electronic Communications Regulations 2003, and General Data Protection Regulation (EU) 671/2016. BCA will handle all fundraising data in accordance with its Information Governance Policy and its Privacy Policy which contain information for donors/prospects on the purpose, obtaining, storage and use of any personal data for fundraising purposes.

6.2 When conducting prospect research, BCA will:

- have a clear understanding of what information is fair and relevant to the purpose it is being used for;
- not use unethical methods to obtain prospect research information;
- avoid personal prejudice and bias;
- be honest and transparent about our purpose and our identity when seeking information;
- consider the reliability of the sources of information used;
- ensure that research, when presented, is accurate, relevant to its purpose and timely.

6.3 BCA will always be aware of the sensitivity of information gathered and held on individuals, and organisations. This will aid BCA's compliance with data protection legislation and ensure that information acquired via all channels, particularly information not in the public domain, is treated with the utmost respect.

6.4 BCA acknowledges that all funders have a right to access their data and may obtain this by contacting the Director or Office Manager.

7. Review

This Policy will be reviewed every 3 years or more frequently as legislation, guidance from official bodies or industry best practise changes.

8. Application Legislation, Guidance & Internal Policy

- BCA's Information Governance Policy
- BCA's Privacy Policy
- BCA's Financial Control's Policy
- Gift Aid Rules
- Charities Act 1992
- Charities Act 2011
- Charities and Trustee Investment (Scotland) Act 2005
- Charities (Protection and Social Investment) Act 2016
- Bribery Act 2010
- The Fundraising Regulator Code of Fundraising Practice
- The Fundraising Regulator Fundraising Promise
- Portman Code of Practice on Alcohol Sponsorship
- Charity Commission Guide to Trustee Duties (C220) and Charities & Commercial Partners (RS2)