

Ethical Fundraising Policy

Introduction

All those involved in fundraising for charitable organisations, including universities, whether they are fundraising professionals or volunteers, have a responsibility to donors, to the organisation, and to the cause that is being supported.

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

Further, there is a need for the University to ensure that it does not expose itself by accepting donations from questionable or inappropriate sources.

To this end this Ethical Fundraising Policy has been created for use by the University of Bath, and in particular its Department of Development & Alumni Relations.

This Policy takes into account the Institute of Fundraising's Code of Fundraising Practice and the legal requirements identified in that code, and covers five areas of activity:

1. Donors' Rights
2. Fundraising Practices
3. Financial Accountability
4. Acceptable sources of funding
5. Data Protection and Prospect Research

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1. Donors' Rights

1. All fundraising solicitations by or on behalf of the University of Bath will disclose the University's name and the purpose for which the funds are requested. Printed solicitations (however transmitted) will also include its address or other contact information.
2. Donors and prospective donors are entitled to the following, promptly upon request:
 - the most recent annual report and financial statements of the University of Bath;
 - confirmation of the charitable status of the University of Bath;
 - a copy of this Policy.
3. Donors and prospective donors are entitled to know, upon request, whether an individual soliciting funds on behalf of the University is a volunteer, an employee, or a consultant or freelance fundraiser working on behalf of the University.
4. Donors will be encouraged in writing to seek independent advice if the University 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.
5. Donors' requests to remain anonymous will be respected as far as is legally, practically, and ethically possible.
6. The privacy of donors will be respected. Any donor records that are maintained by the University will be kept confidential to the greatest extent possible. Donors have the right to see their own donor record, and to challenge its accuracy.
7. Donors and prospective donors will be treated with respect. Every effort will be made to honour their requests to:
 - limit the frequency of solicitations;
 - not be solicited by telephone or other technology;
 - limit the amount or frequency of printed or online material concerning the University that they are sent.

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

8. Donors have the right to ask that their donations be allocated to a specific area of University activity, and the University will meet these requests, wherever possible and appropriate in order to deliver its mission. (See Financial Accountability, point 3 for the treatment of restricted donations).
9. The University will respond promptly to a complaint by a donor or prospective donor about any matter that is addressed in this ethics policy. A designated member of the Department of Development and Alumni Relations will attempt to satisfy the complainant's concerns in the first instance. A complainant who remains dissatisfied may request in writing a review of their complaint by the University Secretary, and will be advised of the outcome of this review.

2. Fundraising Practices

1. Fundraising solicitations on behalf of the University of Bath will:
 - be truthful;
 - accurately describe the University's activities and the intended use of donated funds; and
 - respect the dignity and privacy of those who benefit from the University's activities.
2. Volunteers, employees and hired fundraisers who solicit or receive funds on behalf of the University shall:
 - adhere to the provisions of this Policy;
 - act with fairness, integrity, and in accordance with all applicable laws;
 - adhere to the provisions of applicable professional codes of ethics, standards of practice, etc;
 - cease solicitation of a prospective donor on request;
 - disclose immediately to the University any actual or apparent conflict of interest;
 - not accept donations for purposes that are inconsistent with the University's objects or mission; and
 - ensure that no inappropriate benefit is secured by a donor in return for a gift.
3. 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.
4. The University will not sell or exchange personal details of donors.
5. The University will abide by all applicable laws and regulations relating to the acceptance, solicitation and use of donations.
6. The University will meet the provisions of the Bribery Act and other relevant legislation intended to protect against bribery in respect of donations.
7. Council will be informed at least annually of the number, type, and disposition of complaints received from donors or prospective donors about matters that are addressed in this Policy.

3. Financial Accountability

1. The University of Bath's financial affairs will be conducted in a responsible manner, consistent with the ethical obligations of stewardship and the legal requirements of national regulators.
2. All donations will be used to support the mission of the University of Bath.
3. All restricted donations will be used as agreed with the donor. If necessary due to programme or organisational changes, alternative uses will be discussed where possible with the donor or the donor's legal designate(s). If the donor is deceased or legally incompetent, and the University 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.

4. An annual financial report produced by the Department of Development and Alumni Relations in accordance with generally accepted accounting principles and standards will:
 - disclose the total amount of donation income and expenditure;
 - be factual and accurate in all material respects.
5. The cost effectiveness of the University's fundraising programme will be reviewed as part of an annual report to Council.

4. Acceptable Sources of Philanthropic Funding

1. The University of Bath accepts philanthropic funding from a wide variety of public and private sector sources willing to support it in accomplishing its mission.
2. The University will not accept philanthropic funding in cases where to do so would not be in the best interests of the University i.e. might:
 - compromise its status as an independent institution;
 - limit freedom of enquiry or lead to the suppression or falsification of academic research;
 - create unacceptable conflicts of interest;
 - expose the University to undue adverse publicity or reputational risk;
 - cause any other damage, including financial damage, for example, deterring other donors to the University; or
 - in any other way be in conflict with the values and aims of the University.
3. If the Director of Development and Alumni Relations 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 for further scrutiny by the Research & Resources team. Following this further scrutiny, if there are still concerns that the donation or donor might conflict with the principles, the matter will be brought to the attention of the Vice-Chancellor's Group (VCG).
4. If the Vice-Chancellor does not consider there to be a conflict, then the solicitation plan will resume; if the Vice-Chancellor agrees that there is a conflict, then the solicitation plan will cease.
5. If the Vice-Chancellor agrees that there might be a conflict then the matter will be referred to a panel consisting of the Vice-Chancellor, Chair of Council and University Treasurer for determination as to whether or not the gift should be accepted or, if a potential or current donor is under consideration, whether any donation from that donor should be accepted.
6. If the panel considers that there are significant issues involved it may seek advice, formally or informally, from the University Council or from nominated persons unconnected to the University before making a decision. The sole consideration of the panel in making a decision will be, in the light of all available information, if the best interests of the University of Bath are served in accepting or refusing the donation in question.
7. If the panel does not consider there to be a conflict, then the solicitation plan will resume. If the panel agrees that there is a conflict, then the solicitation plan will cease.

8. Where concerns are raised under this Policy about a gift that has already been accepted by the University, a similar process of consideration and scrutiny will be followed to that set out above in order to determine whether it is appropriate to retain the gift, to return it to the donor or to take any other action in relation to the gift.
9. In addition, the Director of Development and Alumni Relations is to inform the Vice-Chancellor of all donations of £100,000 or more for consideration whether or not s/he believes there is conflict with any of the principles set out above. If the Vice-Chancellor believes that there may be cause for concern, the gift in question will be brought to the attention of VCG and the above process followed for determination as to whether or not the gift should be accepted.

5. Prospect Research and Data Protection

1. The Department of Development and Alumni Relations will ensure it is in compliance with the Data Protection Act (1998) and the Privacy and Electronic Communications Regulations 2003, and follows the advice given by the University Secretary's Office so that it does not obtain, process, store, sell or pass on data unlawfully.
2. When conducting prospect research, the Department of Development and Alumni Relations 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 with regard to their purpose and their identity when seeking information;
 - take into account the reliability of the sources of information used; and
 - ensure that research when presented is accurate, relevant to its purpose and timely.
3. The Department of Development and Alumni Relations will at all times be aware of the sensitivity of information gathered and held on alumni, other individuals, and organisations. This will aid the University'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.
4. When using external agencies or when data may be shared with a third party, for example mailing houses, the Department of Development and Alumni Relations will ensure that all issues, such as data ownership, fitness for use and confidentiality, are governed by a legally binding contract.
5. The Department of Development and Alumni Relations will require companies appointed to carry out data processing on the University's behalf to sign the Agreement Relating to Data Processing drawn up by the University's Data Protection Officer.
6. The Department of Development and Alumni Relations will refer any DPA agreements that companies wish the University to accept to the University's Data Protection Officer for approval.