

Fundraising Policy

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Introduction: The purpose of this policy is to enable A Partnership with Africa (APA) to have a clear and consistent ethical policy in relation to fundraising. Irrespective of any internal delegation procedures within APA, the ultimate responsibility in respect of fundraising practices rests with the legally appointed Board of Directors. The first part of the policy statement will deal with the general governance and ethical position of APA in relation to fundraising and specifically acceptance/refusal of donations, and the second part will deal with our relationship with businesses, the most common area where ethical issues arise. [The Charities Act of 2009](#) provides guidance in relation to this and the Charity Regulator has specific guidelines. However, there are other relevant legal principles that the Board and their advisors should ensure are met when deciding whether or not to accept donations. The law requires directors, in deciding whether to accept or refuse a particular donation, to consider which course will be in the charity's overall best interests. The law allows practical and ethical factors to be taken into account as long as they are ones that are likely to affect the interests of the charity. Given the difficulties of predicting all the various scenarios that may arise, this policy seeks to provide some general guidance.

APA commits to the following principles:

- 1) Conducting all fundraising within the law.
- 2) Not damaging APA's reputation in the pursuit of raising money.
- 3) Never exploiting our clients or staff or to compromise their situation or reputation in any way.

If fundraising is conducted outside the law, APA reserves the right to involve outside forces and/or law enforcement. The second two principles will be regarded as internal matters for APA as they are at the core of our values and of our principles.

1. Policies

1.1. Policy on the Acceptance/Refusal of Donations

Justification: A clear policy on the acceptance and/or refusal of donations is important for all charitable organisations. APA's policy, which has been formally agreed upon by all those associated with APA and the Board of Directors, will achieve the following:

- Ensure compliance with legal regulations
- Clarify the legal obligations with regard to the acceptance/refusal of donations
- Clarify who has the authority to make decisions related to donations
- Help to ensure that decisions are not made on an ad hoc basis but are grounded in the mission of APA and agreed objectives of the organisation
- Provide a clear objective standard against which external regulatory bodies can judge the actions of the charity in cases of potential or actual dispute
- Provide a clear, unambiguous policy statement making decisions intelligible, justifiable and credible to the public at large
- Protect the reputation of the charity against adverse public reaction from existing or potential supporters

Policy:

- 1) Responsibility for all decisions rests with the legally appointed Board of Directors of APA.
- 2) The Board will, at all times, endeavour to take all decisions related to the acceptance/refusal of donations in an effort to safeguard the interests of APA.
- 3) The Board will aim to demonstrate that they have acted in the best interests of APA irrespective of any individual or collective personal interest or predilection, in each and every case.
- 4) The Board will exercise due diligence when refusing donations based solely on the grounds of expediency, as judged by them.
- 5) The Board will derive no personal benefit (individually or collectively) from donations, loans or other material support offered to APA. Where material personal benefit results from a donation, the support, the benefit, or both will be declined.
- 6) Where it is clear that the activities of a donor or donating organisation are directly unfavourable or adverse to the objectives of APA, the agreed policies of APA, or to the beneficiaries of APA, the Board may decide to refuse a donation.
- 7) Where it can be clearly shown that the cost to APA of accepting a donation will be greater than the value of the donation itself, the Board may decide to refuse the donation.
- 8) Where the offer of support is dependent upon the fulfilment of certain conditions placed upon APA, the Board may decide to refuse that support. Such cases could include the following:
 - any condition linked to the support that is, in itself, contrary to the objectives of APA
 - any condition linked to the support is regarded as unreasonable in regards to the nature of the support versus size or impact on the work of APA
 - any conditions linked to the support will divert APA from pursuing its current objectives, policies or work priorities as a necessary result of the fulfilment of the conditions alone

- any conditions linked to the support tie the funds and/or property offered to a specific activity, that activity must itself be:
 - charitable in nature
 - within the scope of legitimate action permitted by the charitable objects of APA and the powers granted to achieve those objects
 - practically achievable by APA
- 9) Where an offer of support is itself dependent upon APA first spending its own money or resources in order to facilitate the execution of the original offer of support, great care will be taken by the Board to avoid placing charitable assets under undue and inappropriate risk.
- 10) Practical considerations might mean that an otherwise acceptable donation must be refused. Such cases might include the following:
- Support is tied to a particular project or activity which, in regards to the charitable objectives of APA, is impractical given the current standing of the organisation.
 - Support is presented in an unconventional manner and the cost of processing the donation exceeds the value of the donation.
 - Support consists of goods, services or property which APA cannot lawfully use, convert, exchange or sell in direct support of its charitable objects.
- 11) Where a change in the donor's circumstances prompts a request for the return of all or part of the donation, the Board will exercise due diligence.
- 12) On occasion, the Board may wish to refuse a donation, or delay its acceptance, with a view to inviting the donor to make the gift in a more tax efficient manner.

1.2. Business & Corporate Partnerships Relationships and Policies

Purpose: The purpose of this section is to enable the staff and management within APA to make clear and consistent decisions regarding the formation of partnerships with the corporate sector.

The fundraising strategy, as outlined in the Strategic Plan for APA in Ireland makes reference to the formation of partnerships with the corporate sector. All of our relationships with the corporate sector will be guided by our commitment to helping most at-risk women, children, men and minorities who are experiencing infringement to their basic rights and lack of access to services, resources and opportunity. Partnerships with the corporate sector must be formed with great care, and due consideration should be given to their potential effects on the most vulnerable and at-risk persons and groups in Ethiopia, Tanzania and other locations where APA may decide to operate.

At the same time, opportunities for corporate partnerships are becoming available because of the following factors:

- The widening role of the private sector in civil society
- The growth of mutually beneficial alliances between the corporate and voluntary sectors
- The increasing potential to secure corporate support for our work
- The ability of companies to promote our services to a wider audience

Irrespective of any internal delegation procedures within APA, the ultimate responsibility in respect of corporate partnerships and all activities arising from them rests with the legally appointed Board. There is no single, specific statute to guide the Board in law in this area. However, there are relevant ethical and other principles that the Board and staff will wish to

consider when deciding whether or not to establish a partnership with a particular company. In addition, the Voluntary Fundraising code arising from the Charities Act 2009 offers high level guidance and APA also adheres to the [Charities Institute Ireland \(CII\): Statement of Guiding Principles for Fundraising](#)

Definitions: The following definitions apply in this policy:

- The **corporate sector** means any registered business in Ireland or abroad.
- **Corporate partnership** refers to a public, active and on-going association with a business, which has been solicited either by APA or the business and has been established for the mutual benefit of the business and APA activities.

A clear policy on the formation of corporate partnerships is important for all charitable organisations. APA's policy, which has been formally agreed upon by all those associated with APA and the Board of Directors, will achieve the following:

- clarify the considerations which the Board sees as determining APA's relations with the private sector
- ensure compliance with legal regulations
- clarify the Board's responsibilities and obligations with regard to corporate partnerships
- clarify who has the authority to make decisions related to corporate partnerships
- help to ensure that decisions are not made on an ad hoc basis but are grounded in the mission and agreed policy objectives of APA
- provide a clear objective standard against which external regulatory bodies can judge the actions of the charity APA in cases of potential or actual dispute
- provide a clear, unambiguous policy statement making decisions intelligible, justifiable and credible to the public at large
- protect the image and reputation of APA against adverse public reaction from existing or potential supporters

While the policy cannot anticipate every situation, it can be used as a reference point against which decisions can be made in the best interests of APA.

Policy:

- 1) The formation of corporate partnerships is an important element of the fundraising strategy of APA. Partnerships may be formed as a result of proactive targeting of specific companies or as a result of companies approaching APA.
- 2) Responsibility in respect of corporate partnerships and all activities arising from them rests with the legally appointed **Board of Directors** of APA.
- 3) All significant new partnerships must be notified and approved by the Board.
- 4) Corporate partnerships may encompass a range of activities including the following:
 - Cause-related marketing
 - Employee Fundraising
 - Promotion of APA brand on or with its products
 - Joint or sponsored events
 - Research projects
 - Sponsorship of aspects of APA's services
 - Sponsorship of APA publications
 - Gifts in kind, such as equipment, vehicles and the use of premises

- 5) Before forming a partnership with a company, an assessment will be made by the APA **Internal Audit, Financial and Risk Committee (IAFRC)** of the potential benefit and the risks attached to the association. This assessment will take account of the following;
- a. The financial stability of the company: This may involve scrutiny of the company accounts and an assessment of its financial stability.
 - b. The reputation of the company: If there are any concerns regarding the public image of the company, they will be considered with regard to any negative effect this could have on the image of APA, whether or not that negative public image may be justified.
 - c. Exclusions: Companies whose business include the following will be excluded from a partnership with APA because partnerships with such companies will pose a potentially serious threat to APA's integrity:
 - Manufacturers of appliances the purpose of which is to inflict torture
 - Producers of pornographic material or material which may be judged to be abusive of individuals
 - Publishers of materials which are clearly inimical to the interests of vulnerable adults and children
 - Any companies whose activities are inimical to vulnerable children and adults as decided by the Board
- 6) In cases where the results of an assessment indicate that it is unclear whether a partnership with the company in question should be pursued, the decision will be taken by the **CEO** in consultation with the **Chairperson** who may refer the matter to the Board.
- 7) Should regulations relating to charity/corporate partnerships change significantly or new legal obligations come into force, the **CEO** will undertake to draw these to the attention of the Board.
- 8) Use of agencies & third parties
On occasion, we may work with third parties, sponsorship agencies, consultants and partners on our fundraising. Where such parties are engaged, they must also adhere to this policy.

Commented [AP1]: No. 8 is a new section added

2. Statement of Guiding Principles for Fundraising

2.1. Purpose

The purpose of this section is to document APA's intention to comply with the Statement of Guiding Principles for Fundraising issued by Charities Institute Ireland (~~CII, formerly ICTR~~) ~~in 2008~~. The Statement of Guiding Principles for Fundraising is a guide to best practice developed by a steering group set up in response to the Charities Act 2009. More details regarding these principles can be found at the CII website under Statement of [Guiding Principles for Fundraising](#).

A Partnership with Africa (APA) is fully committed to [achieving](#) the standards contained within the Statement of Guiding Principles for Fundraising. We commit to doing this by:

- Maintaining professional and ethical fundraising practice
- Providing high levels of accountability and transparency to our donors and prospective donors from the public
- Providing clarity and assurances about how we spend your money
- Publishing current APA fundraising activities in annual reports

APA has considered the Statement and believes that it meets the standards it sets seeks. We have adopted the recommended elements, including the following:

- Donor Charter
- Disclosure Statement
- Feedback & complaints procedure
- Statement of compliance

All the relevant information is also available on our website where we communicate our commitment to comply with the statement of guiding principles publicly.

2.2. Donor Charter

- We commit to being accountable and transparent so that donors can have full confidence in APA.
- We promise we will use donations effectively.
- We pledge to treat all of our donors with respect, honesty and openness and maintain transparency.
- It is not enough that we uphold only what is expected of us by law; we provide the best services and show the utmost respect to our donors.

2.3. Disclosure Statement

APA is open about whether those seeking donations on its behalf are volunteers, employees of the organisation, or third-party agents. Anyone fundraising on behalf of the APA must ensure that donors are aware of the role they play within or in relation to the organisation.

2.4. Feedback and Complaints Procedure

Feedback on APA's fundraising work is very gratefully received. As a result, there is a "Contact Us" page on the APA website where supporters and donors can provide feedback in the following ways:

- Email: info@apa.ie
- Phone: (01) 4064316
- Post: APA, Kimmage Manor, Whitehall Road, D12 P5YP.
- In person at the same address

2.5. Statement of Compliance

In accordance with the Statement of Guiding Principles for Fundraising, A Partnership with Africa (APA):

- Is committed to complying with the Statement for Guiding Principles for Fundraising and has formally discussed and adopted the Statement at a meeting of the Board of Directors.
- Confirms its commitment to the principles set out in the Statement of Guiding Principles for Fundraising by a statement to that effect in its annual report.
- Has a Donor Charter that is consistent with the Statement of Guiding Principles for Fundraising.
- Regularly monitors compliance with the Statement of Guiding Principles for Fundraising, and compliance reports are received regularly by the Board of Directors.
- Considers the Statement of Guiding Principles for Fundraising when planning all fundraising activity.
- Provides honest, open and transparent disclosure when fundraising from the public.
- Has appointed a senior member of staff to be responsible for compliance with the Statement of Guiding Principles for Fundraising.
- Ensures that fundraising staff are provided with information and training on the Statement of Guiding Principles for Fundraising and its implementation.
- Ensures that the Fundraising Department has a feedback and complaints procedure consistent with the Statement of Guiding Principles for Fundraising. Feedback is recorded for review by relevant staff including the CEO and the Board of Directors. Feedback is responded to promptly and appropriately.
- Prepares financial reports consistent with the requirements of the Charities Act 2009 and the Charities Regulator (CRI) that includes a statement concerning the extent to which control of the organisation is independent of its funding sources.
- Ensures that all donations are tracked and recorded and complies with data protection requirements.
- Is accessible to the public via telephone, email and our website

Charities Institute of Ireland Fundraising Compliance Checklist included in Appendix I.

