

Policy 5. ETHICAL FUNDRAISING AND PARTNERSHIPS

CONTEXT AND INTRODUCTION

British Exploring Society relies as a small charity on operational and professional support from a range of partners.

We also depend on the fundraised income we secure from motivated individuals.

The charity receives (or may receive) donations from the following sources:

- Restricted and unrestricted donations from Individuals or members
- Corporate donations
- Sponsorship
- Legacy or donating in memory
- Trusts and Foundation giving
- Cause Related Marketing, Affinity Marketing and Product/Service Endorsement

Our work brings us into contact with young people between the ages of 14 and 25, some of whom may be particularly vulnerable. We work alongside families and carers, schools and public institutions, charities and local communities. We are a membership organisation. Our strategy makes a public commitment to environmental awareness, and to operating responsibly in wild, remote and fragile environments.

All of our stakeholders are important to our effectiveness as a charity. Some of our stakeholder groups may hold strong views about Ethical partnerships and about appropriate partnerships for British Exploring Society.

THE PURPOSE OF AN ETHICAL FUNDRAISING AND PARTNERSHIPS POLICY

The Chartered Institute of Fundraising's Procedure for Establishing a Policy on the Acceptance/Refusal of Donations¹ suggests that:

“A clear policy on the acceptance/refusal of donations is important for all charitable organisations. Such a policy, acceptable to all those associated with the charity and agreed formally by the trustees, should:

- Express your values and ethos, how these are relevant to its purpose and how certain types of donations might be more likely to inhibit those purposes
- help to ensure that decisions are not made on an ad hoc basis but are grounded in the mission and agreed policy objectives of the organisation
- avoid confusion between trustees, fundraisers, volunteers and staff as to who has the authority to take decisions in differing circumstances ensure compliance with both the Code of Fundraising Practice and any legal requirement
- clarify the trustees' legal obligations with regard to the acceptance/refusal of donations
- provide a clear unambiguous policy statement making decisions intelligible, easier to justify and credible to the public at large
- provide a clear objective standard against which external regulatory bodies can judge
- protect the reputation of the charity against adverse public reaction from existing or potential supporters (who will have acquired greater understanding of the charity's policy position regarding donated support)
- demonstrate to stakeholders and the wider public that your organisation is consistent and takes its position and responsibilities seriously

OUR APPROACH AND PROCESS

This Policy sets out a simple framework for how British Exploring Society engages with donors, new partners and reviews existing relationships. The guiding principle for this approach is that it should be the Council (Trustees of British Exploring Society) which agrees the overall policy on ethical partnerships in line with the mission and purpose of the organisation and its beneficiaries and this Policy, rather than the organisation's employees - based on their own beliefs and values.

WHO IS INVOLVED

The Council will agree and review the overall policy and framework as it relates to ethical partnerships. The Chief Executive Officer (CEO) will communicate this to the wider team and embed it in the working practices of the charity. This will include regular monitoring and annual review as well as seeking the advice of the board on a case-by-case basis.

GROUNDINGS FOR REVIEWING A PARTNERSHIP OR A POTENTIAL DONATION

The charity's interests must be served by having funds with which to pursue its purposes.

Similarly, the charity should seek partnerships which enable it to pursue its purposes and deliver its strategy.

¹<https://ciof.org.uk/events-and-training/resources/acceptance,-refusal-and-return-a-practical-guide-t>

British Exploring Society will follow the Institute of Fundraising's guidance that we will refuse a donation if:

- a. *It would be unlawful to accept it (e.g. the organisation knows or suspects that the gift comprises the proceeds of crime); or*
- b. *Accepting the donation would be detrimental to the achievement of the purposes of the organisation, as set out in its constitution. Such detrimental or anticipated detriment has to be set against the benefit of having the funds from the donor, which enable the organisation to pursue its purposes.*

BES Council will take into account all relevant legislation and regulation including (and any regulations superseding) the following:

- The charities Act 2011 – in relation to seeking the advice of the Charities Commission on whether to accept or refuse a particular donation
- Data Protection 1998 in relation to handling the personal data of any donor
- GDPR regulations, in effect from May 2018.
- The bribery act 2010 in relation to bribery offences
- Finance Act 2011 in relation to tainted charity donations
- Proceeds of Crime act 2002 in relation to suspected money laundering

Council will establish the *reasonable likelihood* of any detriment arising before taking it into account – and will determine whether such detriment is likely to be *greater than the benefit to be obtained* from accepting a donation or entering into a partnership.

Detriment might include:

- For whatever reason, the loss of donations from other supporters or funders, at least equivalent over the long term, to the value of the donation
- The loss of volunteers or other partners whose services would be at least of as great value as the donation
- The loss of staff or the ability to recruit staff of appropriate quality
- Would lead to a decline in support for the charity
- Would help further a Donor's personal objectives, which conflict with those of British Exploring Society
- Would jeopardise or have the ability to damage British Exploring Society's reputation
- Could be shown to result in a material fall in the resources available to beneficiaries
- If the acceptance of the donation results in the commission by British Exploring Society or individuals associated with it of a criminal offence

MANAGING REPUTATIONAL RISK: ETHICAL AND ORGANISATIONAL VALUES AND THOSE OF OUR STAKEHOLDERS

Some sources of funding and partnership will automatically require Council consideration/approval. The list below is intended to be illustrative rather than exhaustive. Any proposed or unsolicited donation from or relationship with a business in any of the sectors set out below, or one where a member of Executive considers there is potential reputational or ethical risk *such that accepting the donation would be detrimental to the achievement of the purposes of the organisation*, will be taken to Council for approval before acceptance.

Sectors requiring Council approval

Pharmaceutical
Tobacco
Alcohol
Arms
Petrochemical
Automotive
Confectionery and fast foods
Religious
Political/State
Gaming/gambling
(Alternative) Educational
Commercial Media groups

VULNERABLE DONORS

British Exploring Society recognises that it has an obligation to protect those in vulnerable circumstances. Whenever we suspect that someone we engage with is lacking capacity or is in vulnerable circumstances, we will take steps to terminate the contract in a way which seeks to protect that person and their dignity, having due regard for any desire they have expressed to support British Exploring Society.

MANAGING HIGH VALUE DONATIONS AND THEIR ASSOCIATED RISK

Should a donation (either to restricted or to unrestricted funds) total more than 10% of our annual income, acceptance of this donation will need to be agreed at board level and additional risk assessments carried out.

DUE DILIGENCE

Due diligence on new partners and donors will include research using publicly available resources into their areas of operation and their support for other charities.

The team will not be required to repeat due diligence for repeat funding unless a significant change to a donor's circumstances has taken place (e.g. a merger or acquisition).

Due diligence commences from the point of implementation of this Policy and is not backdated to existing or historic donors.

Additional due diligence will be carried out for donations from abroad.

BES understands its obligation to apply appropriate due diligence to anonymous donations – although, where it is reasonable and practicable to do so, the charity will respect requests of anonymity. In accordance with UK law, donations over the value of £25,000 will be reported to the Charities Commission.

THE PROCESS

BES's Ethical Fundraising and Partnerships Policy will apply across all new partnerships and funding relationships irrespective of donation value. The level of due diligence will be proportionate to the potential risk of accepting and the potential value of the partnership/gift.

Our CEO, Head of Recruitment and Engagement and Head of Fundraising manage the pipeline for new partners, and for fundraising.

We have in place a template MOU/Framework Agreement for our partnerships which includes an explicit commitment to articulating and reviewing the Vision, Practice and Goals of the partnership.

Any queries which cannot be settled by the Executive team will be taken in the first instance to the Finance Sub-Committee for review. The Finance Sub-Committee will either make a decision, or refer to the main board for a final decision.

RECORD KEEPING

Any records kept as part of a due diligence process in relation to this policy will be disclosed should a donor make a subject access request. This should be noted when any process of due diligence is requested/actioned. Any process of Due Diligence in relation to this Policy should take account of our Data Privacy and Protection Policy.

LINKED DOCUMENTS

- Risk register
- Vulnerable donor policy