

# NOCS (New Opportunities in Community and Support) Charity Fundraising Policy

This policy sets out how we manage the ethical issues and social responsibility within fundraising. 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](#). (Available in Charity Policy master folder.)

Everyone who is involved in fundraising has a responsibility to be aware of and comply with the ethical issues and procedures in this policy.

## People And Organisations

### Trustees

The trustees are aware of and will comply with Charity Commission guidance [CC3a](#), (all given copy of booklet on appointment), regarding trustees 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 trustees duties](#)). (See Appendix 1)

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](#).

### 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 complaints or requests to cease contact and act to address their causes.

### Beneficiaries

How we represent our beneficiaries, 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.

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 he or she may be vulnerable, using [REAL](#):

- **Retain** - and repeat the information you give him/her? 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 him/her.
- Ask him/her what they need and how you can help them better.
- Empathise and sympathise with him/her.
- 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](#). (Document available in Charity Policy Master Folder). 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 your charity. We will also consider issues, such as [suspicious donations](#), or managing large anonymous gifts, or those from vulnerable individuals.

## Appendix 1 Trustees' 6 main duties

### 1. Ensure your charity is carrying out its purposes for the public benefit

You and your co-trustees must make sure that the charity is carrying out the purposes for which it is set up, and no other purpose. This means you should:

- ensure you understand the charity's purposes as set out in its governing document
- plan what your charity will do, and what you want it to achieve
- be able to explain how all of the charity's activities are intended to further or support its purposes
- understand how the charity benefits the public by carrying out its purposes

Spending charity funds on the wrong purposes is a very serious matter; in some cases trustees may have to reimburse the charity personally.

Find out more: [The essential trustee - purposes and public benefit](#)

### 2. Comply with your charity's governing document and the law

You and your co-trustees must:

- make sure that the charity complies with its governing document
- comply with charity law requirements and other laws that apply to your charity

You should take reasonable steps to find out about legal requirements, for example by reading relevant guidance or taking appropriate advice when you need to.

Registered charities must keep their details on the register up to date and ensure they send the right financial and other information to the commission in their annual return or annual update.

### **3. Act in your charity's best interests**

You must:

- do what you and your co-trustees (and no one else) decide will best enable the charity to carry out its purposes
- with your co-trustees, make balanced and adequately informed decisions, thinking about the long term as well as the short term
- avoid putting yourself in a position where your duty to your charity conflicts with your personal interests or loyalty to any other person or body
- not receive any benefit from the charity unless it's properly authorised and is clearly in the charity's interests; this also includes anyone who is financially connected to you, such as a partner, dependent child or business partner

Find out more: [The essential trustee - act in your charity's best interests](#)

### **4. Manage your charity's resources responsibly**

You must act responsibly, reasonably and honestly. This is sometimes called the duty of prudence. Prudence is about exercising sound judgement. You and your co-trustees must:

- make sure the charity's assets are only used to support or carry out its purposes
- not take inappropriate risks with the charity's assets or reputation
- not over-commit the charity
- take special care when investing or borrowing
- comply with any restrictions on spending funds

You and your co-trustees should put appropriate procedures and safeguards in place and take reasonable steps to ensure that these are followed. Otherwise you risk making the charity vulnerable to fraud or theft, or other kinds of abuse, and being in breach of your duty.

Find out more: [The essential trustee - manage your charity's resources responsibly](#)

### **5. Act with reasonable care and skill**

As someone responsible for governing a charity, you:

- must use reasonable care and skill, making use of your skills and experience and taking appropriate advice when necessary
- should give enough time, thought and energy to your role, for example by preparing for, attending and actively participating in all trustees' meetings

Find out more: [The essential trustee - act with reasonable care and skill](#)

### **6. Ensure your charity is accountable**

You and your co-trustees must comply with statutory accounting and reporting requirements. You should also:

- be able to demonstrate that your charity is complying with the law, well run and effective
- ensure appropriate accountability to members, if your charity has a membership separate from the trustees
- ensure accountability within the charity, particularly where you delegate responsibility for particular tasks or decisions to staff or volunteers

Find out more: [The essential trustee - ensure your charity is accountable](#)

### **Associated Policies:-**

- NOCS Conflict of Interests Policy
- NOCS Safeguarding Policy
- NOCS Equal Opportunities Policy
- NOCS Financial Policy

### **Review**

At least annually and to reflect any new legislation to ensure the policy remains fit for purpose and current. First annual review due January 2025 when Financial Conduct Review of Fundraising Code of Practice has been completed.

Reviewed and established January 2024. See Minutes 10/01/2024.