
Fundraising Policy

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1 Introduction

- 1.1.1 At Brainkind, our fundraising promise to the general public and our existing supporters is that our fundraising, in all its forms, is legal, open, honest and respectful - [Fundraising Promise - Brainkind](#). Brainkinds work is primarily funded by fees commissioned for the organisation's services. However, our fundraising enables us to fund projects that will enrich the lives of people we support through our internal grant system and process. Fundraised money cannot be used for staff or where there is an obligation from Brainkind to fund certain areas, such as staff room set up costs for the people we support.
- 1.1.2 We will be honest about how donations are used, open about the methods we use to raise funds and who we work with, respectful to the wishes, preferences, personal information and circumstances of the people we interact with, and we will take all necessary steps to comply with the law and sector fundraising practice standards.
- 1.1.3 We will take responsibility for our actions, ensuring that our fundraising is carried out in line with the Code of Fundraising practice and fundraising regulator.
- 1.1.4 Nobody directly or indirectly employed or volunteering for Brainkind shall accept commissions or bonuses for fundraising activities on behalf of Brainkind.
- 1.1.5 No general appeals shall be undertaken by telephone or door-to-door to the public.
- 1.1.6 If our fundraisers, those employed by Brainkind or contracted to fundraising on our behalf, identify signs of vulnerability, they will respond appropriately and according to the principles of being legal, open, honest and respectful.
- 1.1.7 We will always be respectful. This means being mindful of and sensitive to any particular need that a donor may have. It also means striving to respect the wishes and preferences of the donor.
- 1.1.8 We will treat donors fairly. We will not discriminate against any group or individual.
- 1.1.9 We will respond appropriately to the individual needs of our donors. We will consider all requests to adapt our approach (tone, language, communication technique) to suit the needs and requirements of the donor.

2 Legal requirements

- 2.1.1 This policy and related procedures take into account the following legal requirements and regulatory codes, standards and guidance:
 - [Charities \(protection and social investment\) Act 2016](#)
 - [Charities Act 2022](#)



- [Charities Act 1992](#)
- [Data Protection Act 2018](#)
- [General Data Protection Regulation \(GDPR\)](#)
- [Safeguarding Vulnerable Groups Act 2006](#)
- [Equality Act 2010](#)
- [Payment Card Industry Data Security Standard \(PCI-DSS\)](#)
- [Fundraising Regulator Code of Fundraising Practice](#)
- [Institute of Fundraising Guidance](#)
- [Gambling Act 2005](#)
- [Mental Capacity Act 2019](#)
- [Bribery Act 2010](#)

3 Fundraising compliance

- 3.1.1 Brainkind trustees take ultimate responsibility for fundraising compliance. They delegate operational management of fundraising to the CEO and senior leadership team.
- 3.1.2 The Director of External Affairs has the role of Brainkind's fundraising compliance officer.

4 Fundraising activities covered by this policy

- 4.1.1 Charitable funds consist of but are not exclusively limited to:
 - Money left in a legacy for the benefit of Brainkind.
 - Money which has been raised through fundraising events.
 - Money which has been donated as a result of a fundraising appeal.
 - Corporate sponsorship
 - Charitable trust and foundation funds
 - Tangible personal property (gifts-in-kind)
 - Property as part of a legacy
 - Shares or bonds as part of a legacy
 - Pledges (for example fixed crowdfunding)



5 Staff responsibilities

- 5.1.1 Charitable funds are subject to a range of rules and guidance. The control and management of these charitable funds is the responsibility of the board of trustees at Brainkind, who have delegated responsibility to the senior leadership team.
- 5.1.2 Staff at Brainkind are responsible for implementing this policy and adhering to the related procedures. They should make themselves familiar with this policy as well as the fundraising code of practice and the institute of fundraising guidance.
- 5.1.3 Roles with responsibility for fundraising are:
- Head of Fundraising
 - Director of External Affairs
 - Head of Finance
 - Director of Finance
 - CEO
 - Other colleagues who from time to time will be directly or indirectly involved in fundraising activity.

6 Fundraising by staff

- 6.1.1 Participation in fundraising activities (for the purpose of this policy, meaning specifically participating in or completing the activity) by staff is voluntary and should not be imposed on individuals. Staff must register for the event or activity as a participant and follow the guidance issued. Staff may be asked to volunteer at an event or activity in a voluntary capacity.

7 Vulnerable people

- 7.1.1 Along with the pledge in our fundraising promised we will also do the following:
- A. When responding to a supporter or member of the public in vulnerable circumstances, staff must take all necessary steps to understand if the supporter is able to make an informed decision about donating to Brainkind and respond appropriately. If a supporter is deemed unable to make an informed decision the member of staff must not accept the donation
 - B. Brainkind will ensure that 2 members of staff are present when receiving a donation from a vulnerable donor.



8 Acceptable fundraising activities

- 8.1.1 Before fundraising activity can be initiated approval **must** be sought from the Head of Fundraising/ fundraising team. Brainkind reserves the right not to support and/or endorse participation in such events and/or to decline such support publicly as appropriate. Insurance for such events is in almost all cases the responsibility of the person raising funds, and this must be made clear to the person at the start of the process. It is acceptable for the costs of insurance to come from donated funds so long as that is made clear - for example on the relevant JustGiving page. This ensures donors are aware of the cost of the fundraising event. This is also true of any additional costs such as administration fees, kits or others.
- 8.1.2 Acceptable fundraising activities General points:
- Brainkind favors fundraising schemes, whether they are general appeal funds or to support a general activity.
 - Events that have an added health benefit for participants are positively encouraged.
 - Fundraising activities that meet with public disapproval can damage the reputation of the organisation. The proposed activity, whether undertaken by staff or an outside body or charity, should not attract adverse publicity for the organisation.
 - The Trust does not condone the use of illegal drugs and excessive use of alcohol associated with any event. (It is acknowledged that events may need to be tailored).
 - Fundraising events where food and/or alcohol are on sale are covered by environmental health and licensing regulations which must be followed.
 - Brainkind recognises that the people we support may want to fundraise for other charities but our fundraising teams would not be able to support this activity by way of help, promotion, materials or any other means.
- 8.1.3 All fundraising by means of lotteries, e.g., raffles etc must comply with the required licensing and gambling commission legislation.
- 8.1.4 All fundraising publicity must contain information in relation to our charity registration, [fundraising promise](#) and policy as a minimum.
- 8.1.5 It is the responsibility of the Head of Fundraising to co-ordinate the request of funds from individuals, foundations, businesses, corporations and organisations in order to avoid an excessive number of asks in the name of Brainkind.



9 Donations or gifts

- 9.1.1 Brankind in deciding whether to accept or decline a donation or gift will consider the charity's best overall interest and will not accept donations from donors whose activities appear to be in direct conflict with our charitable aims and objectives.
- 9.1.2 Additionally, Brankind will not work with companies or individuals who participate in activities which:
- Could cause detriment to the charities reputation
 - Will disproportionately decrease the amount of donations to further the work of the charity
 - Undermine our vision and values
 - are associated with unsuitable products, corporate or individual eg arms dealings or tobacco
 - Are from individuals, groups or organisations which are known to take advantage of older or vulnerable people
 - Are personal gifts to Brankind staff members, which should be discouraged at all times
 - Are from unknown sources of funding. Brankind will take responsible steps to determine the ultimate source of funding for each gift and satisfy itself that the funds do not derive, directly or indirectly, from activity that was or is illegal
 - Potentially harm our relationships with other donors, service users, stakeholders or volunteers
 - Expose us to undue adverse publicity or reputational risk
 - Require unacceptable expenditure or additional charity resources
- 9.1.3 If supporters wish to make a donation to a specific area of Brankind's work, then they may make a restricted donation by providing written instructions to this effect with their donation. Brankind will always respect this and if we are unable to accept the request for the restricted donation then we will work with the donor to reach an agreement. Should we not be able to fulfil the donors wishes we will refund the donation within 30 days.

9.2 Refusal of donations or gifts

- If a donation is received which may not be acceptable under the terms of this policy then the Head of Fundraising or Head of Finance will alert the Director of External Affairs at the earliest opportunity. This will be researched further and the matter will be referred to the board with the necessary information regarding the donation.



- All anonymous donations of £25,000 or more will be reported to the Charity Commission as a serious incident (in line with current Charity Commission guidelines) and will follow Brainkind's guidance on the handling of such donations.

9.3 Donation or gift processing

- All donations or gifts must be processed in accordance with the charities [cash handling procedure](#) and reported to finance and fundraising.
- On receipt, all donations should be processed through the fundraising CRM which is maintained by the fundraising team.
- The finance team is responsible for allocating the donations to the appropriate project as described on the paperwork supplied by the fundraising team.
- Where possible, all donations should be spent within the same financial year they are received. Where this has not been possible, all efforts should be made to spend the donation within a period of two years. If any restrictions are set by the donor indicate timeframes in which the monies must be spent, then these timeframes must be adhered to. Any donated monies remaining unspent after the two years will be subject to review by the Fundraising team.

9.3.1 A receipt of donation or event must be completed by the fundraising team or service manager handling the funds within 7 days of receipt of the donation.

9.4 Legacies

9.4.1 The Head of Finance deals with all contact regarding legacies. All enquiries in relation to potential legators must be directed to the Head of Fundraising and Head of Finance who will agree a relationship management plan.

9.4.2 The Head of Finance and Head of Fundraising will notify the relevant senior managers of the potential legacy and seek legal advice should there be requirements around the will/bequest.

9.4.3 When the legacy gift is received, this will be processed by the Head of Fundraising. The Head of Fundraising will deal with all administrative arrangements including correspondence with the solicitors or family to acknowledge receipt of the monies. The Head of Fundraising will be responsible for confirming whether any publication of the bequest is appropriate.

9.4.4 Brainkind will encourage general legacies but will adhere to the strict wishes of the legator at all times.



9.5 Pledges (fixed appeals or crowdfunding)

- 9.5.1 Sponsors and supporters may be allowed to make pledge commitments to be paid over a specific period of time with items to be bought on receipt of final balance.

9.6 Requests of charitable trusts, foundations, and corporates

- 9.6.1 It shall be the responsibility of the Head of Fundraising to co-ordinate the approaching of charitable trusts and companies. This co-ordination will ensure that excessive requests of any single source of funds is avoided.
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9.7 Fundraising collections

- 9.7.1 Brainkind will ensure that all fundraising collections are carried out sensitively to protect the organisation's reputation in the mind of the public.
- 9.7.2 Brainkind will ensure that adequate permission for a static collection is obtained and can evidence this sufficiently where required; and that all collectors can be clearly identified.

9.8 Handling of cash donations

- 9.8.1 Brainkind will adhere to the [cash handling procedure](#) and the following good practice when handling cash donations resulting from face-to-face activities:
- Cash must be collected, counted and recorded by two unrelated individuals and counted in a secure environment, wherever possible. (Collection boxes must only be examined and opened by two unrelated individuals)
 - Unsecured cash must never be left unattended or in an unattended environment.
 - Cash must be banked as soon as is practicable.
 - Cash not banked immediately must be placed in a safe or other secure location and Head of Finance notified.



- At the earliest possible date, reconciliation must be made between cash banked and income summaries. Where practical, this must be undertaken by a person independent of the counting and cashing up of money.

10 Reports to sponsors

- 10.1.1 It shall be the responsibility of the Head of Fundraising, with support from the Director of External Affairs, to compile official reports on appeal donations/grants if requested by outside agencies or individual donors.

11 Donor recognition

- 11.1.1 A donor to Brainkind is entitled to thanks and appreciation for their donation.
- 11.1.2 Sponsor's names may be published in Brainkinds annual report, newsletter, website and/or social media. Donor recognition will be agreed in advance between the donor and the Head of Fundraising.

12 Donor research

- 12.1.1 Research on donor and prospects is an acceptable and intrinsic part of fundraising. Data surrounding individuals and companies who wish to be associated with charitable funds will be stored in a confidential file. It must be stressed that any approaches undertaken by Brainkind will be handled in a sensitive and appropriate manner and comply with current data protection legislation. Donor and prospect research activity is limited to the Head of Fundraising and senior leadership team, with these members of staff fully briefed on the application of GDPR to this activity.

13 Database of donors

- 13.1.1 The Head of Fundraising shall be responsible for development, maintenance and compliance of a record of donors and prospects, working closely with the fundraising team and accountable to the Director of External Affairs.
- 13.1.2 Brainkind shall seek from managers and staff, details of donors which may be used to solicit support.
- 13.1.3 Data held regarding potential donors will be destroyed when it becomes clear that they do not wish to be approached by Brainkind in regard to fundraising, or 3 years after they have been identified as a prospect, whichever is sooner.
- 13.1.4 Brainkind will respect the privacy and contact preferences of all donors and will respond promptly to requests to amend contact details, including the removal of contact details from the fundraising database.



14 Donation sharing with other organisations

- 14.1.1 From time to time, Brainkind may receive a donation or funding which is intended for use by more than one charity.
- 14.1.2 Where the funding has been requested e.g. via a grant application or proposal, clear documentation regarding the proposal, how funds will be used, and how the charities will account individually and collectively for expenditure, must be in place prior to agreeing a final receipt of funds.
- 14.1.3 Brainkind are committed to providing reporting around donation sharing within a reasonable framework.

15 Complaints

- 15.1.1 Brainkind will respond to all complaints from sponsors and members of the public in a timely, respectful, open and honest way in line with Brainkind's [complaints policy](#).