



**Making Learning Work**

# **Charitable Donations & Fundraising Policy**

<b>Status:</b>	Approved
<b>Date of version:</b>	January 2018
<b>Responsibility for policy:</b>	Vice Principal Finance and Corporate Affairs
<b>Responsibility for implementation:</b>	All Staff
<b>Responsibility for review:</b>	Vice Principal Finance and Corporate Affairs
<b>Date for review:</b>	January 2020

## **1. Introduction**

- 1.1 This policy has been developed as a guide on how Forth Valley College as a charity registered in Scotland (SCO21191) makes decisions on accepting and refusing charitable donations – setting out the criteria and factors on which these decisions will be based.
- 1.2 Its key purpose is to ensure that the reputation of our supporters (donors) and Forth Valley College are protected from any real or perceived impropriety in the relationship that is established through the offer and receipt of a charitable donation.
- 1.3 In addition, this document highlights our commitment to carrying out fundraising that is legal, open, honest and respectful as set out by the Scottish Fundraising Standards Panel through their Fundraising Guarantee which is attached as Appendix One. It is also aligned with the Code of Fundraising Practice as published by the Fundraising Regulator.

## **2. Scope**

- 2.1 The policy applies to all staff, students and volunteers including our Board of Management. For the avoidance of doubt, charitable donations and philanthropic gifts are distinguished from funds received through public sources for example, UK and Scottish Government, Scottish Funding Council, Skills Development Scotland. Public sources together with income generated from the College's commercial activity are not included within the scope of this policy.
- 2.3 Grants solicited from and received by charitable foundations operating within the UK are also exempt from this policy as long as such support does not contravene the acceptance and refusal criteria as defined at section four.
- 2.4 Charitable donations include, but are not exclusively limited to cash, cheques, property, shares, bonds, legacy gifts, tangible personal property (gifts in-kind), corporate sponsorships and gifts from charitable foundations.
- 2.5 This policy has been drafted to complement existing FVC policies including: Procurement, Anti-Fraud/Anti Bribery, Complaints, Gifts and Hospitality.
- 2.6 Additional guidance on where fundraising activity should be considered in relation to our Procurement Strategy is provided in Appendix Two.

## **3. Fundraising Process**

- 3.1 As highlighted within the College's fundraising strategy, "Making Fundraising Work", fundraising is considered a college wide activity - "Our Board, Staff and Students should view themselves as being essential to great fundraising".
- 3.2 Through the strategy we aim to deliver a College-wide approach to fundraising – working across all departments and often with external partners. The Development and Fundraising Manager is responsible for coordinating the College's fundraising activity in relation to seeking charitable and philanthropic support and should be the first point of contact for any department wishing to take this forward.
- 3.3 This approach will not only ensure that staff are provided with the relevant information and support but will also help to deliver fundraising that is planned, appropriate, adheres to good practice and makes a tangible contribution to the strategic aims of the College.
- 3.4 Information on our fundraising is maintained centrally by the Development and Fundraising Manager and is reported on regularly to the Senior Management Team and our Board of Management.

#### **4. Acceptance and Refusal Criteria – Guiding Principles**

- 4.1 As highlighted within section one, this policy has been developed to ensure that both our supporters (donors) and the College are protected through the relationship that is established through the offer and receipt of charitable donations
- 4.2 Although the ultimate responsibility lies with the Board of Management, on a day-to-day basis this is delegated to the Principal supported by SMT and Development and Fundraising Manager.
- 4.3 All charitable donations being offered to the College will be recorded appropriately and any donation that could potentially cause concern or raise questions as to why it has been accepted or refused will be referred to the Finance Committee who will make recommendations to the Board of Management.
- 4.4 The key decision points, together with any additional information and the procedure that was followed will be presented to the Board of Management to make a final recommendation. In the instance of a donation not being accepted this will be communicated to the donor within five working days of the Board's decision.
- 4.5 In order to establish whether it would be in the best interests of Forth Valley College to accept or refuse a charitable donation the following criteria will be taken in to consideration:
  - Does the donation contribute towards the overall mission, values and strategic aims of Forth Valley College?
  - Can the College successfully deliver the agreed activity and advance its mission under the conditions relating to the donation, such as schedule of payments, required co-funding if any, reporting requirements and other legal aspects of the contract?
  - Are the supporter's (donor's) objectives or activities incompatible with our vision, mission and values?
  - In accepting the donation, is there a risk of causing significant damage to the integrity, public image or professional reputation of the College?
  - Could the timing of a donation be construed as having influenced (for example) an academic outcome or procurement process?
- 4.6 Forth Valley College will, therefore, not accept charitable donations in the following circumstances:
  - Was known to be associated with criminal sources/illegal activity/corruption;
  - Would help further the donor's personal objectives, which conflict with those of Forth Valley College;
  - Would impact adversely on Forth Valley College's reputation and conflict with the College's mission and Charitable status
  - Has the potential to damage and/or risk relationships with partners, other supporter/donors and our stakeholders.
  - Incur or is likely to incur on-going costs that cannot be met or demonstrated to be met from existing resources

4.7 It should also be noted that Forth Valley College recognise that perceptions of what is acceptable and factors affecting reputations may change over time. In the acceptance of charitable donations, the College will act in good faith according to the standards prevailing at the time of receipt.

## **5. Complaints – Fundraising**

5.1 Forth Valley College is committed to providing high-quality customer services. We value complaints and use the information from them to help improve our services.

5.2 Any third party complaints about the College’s fundraising activity will be addressed through the College’s existing complaints procedure which is clearly set out in our “Guide to Making a Complaint” information which is available on our website <https://www.forthvalley.ac.uk/about-us/governance/complaints/>

5.3 Organisations and individuals who are dissatisfied with the outcome of the complaints process can contact the Scottish Fundraising Standards Panel [www.goodfundraising.scot](http://www.goodfundraising.scot) who will take this forward on your behalf.

## **6. Monitoring and Review**

6.1 This policy will be monitored in line with the Fundraising Strategy and an update on its effectiveness will be reported to the Board on an annual basis. The policy will be fully reviewed every two years or more frequently should legislative requirements change.

## Scottish Fundraising Standards Panel

### The Fundraising Guarantee Statement

#### **Our Fundraising Guarantee to you**

Fundraising is the life blood of many Scottish charities and we need to raise funds from voluntary sources. We could not fulfil our charitable mission without the support of generous, thoughtful and committed donors. We value the support of donors and understand the need to balance our duties to beneficiaries, with our duties to donors.

That's why we make this commitment to you.

We will comply with the law as it applies to charities and fundraising and we commit that we will guarantee to adhere to best practice as outlined in the [Fundraising Code of Practice](#).

We will monitor fundraisers, volunteers and third parties working with us to raise funds, ensuring that they also comply with this Code of Practice.

We guarantee to operate in line with the values of the Code; to be Legal, Open, Honest and Respectful in all our fundraising. To promote and underpin these values, we commit to the following standards:

- We will be clear about who we are and what we do
- We will give a clear explanation of how you can make a gift and change or stop a regular donation
- If you do not want to give or wish to cease giving, we will respect your decision
- We will respect your rights and privacy
- We have a procedure for dealing with people in vulnerable circumstances and it will be published on our website or will otherwise be available on request
- We will hold your data securely
- We will communicate with you in accordance with your selected preferences.

If you feel we have not adhered to these standards, or think we could do better please contact the Corporate Governance and Planning Officer who will deal with your complaint quickly and thoroughly or visit <https://www.forthvalley.ac.uk/about-us/governance/complaints/>

We commit to ensuring our complaints process is clear and easily accessible and we will provide clear and evidence based reasons for our decisions on complaints.

However, should you be dissatisfied with our response, you will be able to take this further by contacting the Scottish Fundraising Standards Panel: [www.goodfundraising.scot](http://www.goodfundraising.scot)

## **Appendix Two**

### **Additional Guidance on Procurement and Fundraising**

This guidance is intended to help College staff in relation to working with external organisations/businesses who we are seeking support from or who have approached the College offering support, for example sponsorship of an event, donation of equipment and materials. This guidance is applicable to all staff but is particularly relevant as we take forward fundraising plans for the new Falkirk Campus.

This section highlights the key differences between a sponsorship relationship and a charitable donation. It also provides key points to consider, giving examples of where this might impact on our procurement policy and the requirement to adhere to FVC procurement guidelines.

#### **Definition – Sponsorship vs Donation**

When working with external organisations/businesses in relation to fundraising it is important to understand the difference between a sponsorship offer and a donation to ensure both parties (ie the College and the external organisation/business) know what type of offer is being made and the outcome from this.

**Sponsorship** - is a cash or in-kind fee supplied to an organisation or group in return for access to commercial potential associated with that organisation. Sponsorship is more high profile and usually undertaken for the purpose of achieving commercial objectives. It involves a clear, tangible business benefit for the sponsor.

**Donations** – these should be given with no expectation of commercial benefit and undertaken with a philanthropic intent for example to support a particular group, theme, area. Donations should have no direct commercial incentives. Donations can include for example – money, equipment and time.

The Development and Fundraising Manager is responsible for co-ordinating the College's fundraising activity and should be the first point of contact for any department wishing to take forward proposals to organisations or approaches received externally.

#### **General Principles – Procurement**

If the organisation offering the sponsorship/donation is not a 'supplier' (i.e. they do not sell goods/products/services which the College would or could otherwise normally purchase) then generally the offer of sponsorship/donation could be considered for acceptance – based on the criteria set out within acceptance policy.

If, however, the organisation offering the sponsorship/donation is classed as a 'supplier' (whether or not they currently supply the College or not), then generally such offers should be considered as a procurement relationship. Some examples of these are highlighted below but if there is any doubt further guidance should be sought from the FVC procurement team.

### **Example 1:**

A commercial organisation offers to provide a financial contribution to support a specific area in the new Campus, and the money is used to purchase kit for that area, for example learning resource centre, science labs. Similarly such companies may offer to donate kit, relevant to the courses we deliver which they no longer use, free of charge.

The commercial organisation making the contribution does not receive anything in return other than a simple acknowledgement, for example a plaque, within the area of the Campus being supported.

*This would be an offer that could be considered for acceptance by the college, as these companies do not offer 'products or services' which the college would procure and are not considered a 'supplier'*

### **Example 2:**

An independent grant making organisation/charitable trust offers to make a financial contribution (donation) which can be used to purchase kit/equipment/materials for the new Campus. These contributions may or may not include restrictions about what the money should be used for. The charitable trust making the contribution does not receive anything in return other than a note of thanks or other agreed acknowledgement.

*This would be an offer that could be considered for acceptance by the college, as these companies do not offer 'products or services' which the college would procure and are not considered a 'supplier'.*

*However, the kit/equipment/materials being purchased with the contribution must be procured in line with the college's procurement policy and procedures*

### **Example 3:**

A company who normally supplies goods/services (whether or not they are current suppliers of the College) offer to 'donate' goods or services for 'free' or 'at a discount'. These companies can be defined as 'suppliers' who the College would or could normally purchase such goods/services from.

*Generally, this would need more detailed consideration as there is likely to be other suppliers in the marketplace who could also have offered to make 'donations or discounts'. Offers like these to provide 'free' or 'discounted' kit may have longer term impacts through for example, placing the college into long-term use of specific products and services through maintenance, upgrades, replacements etc.*

*Such examples are likely to be considered non-compliant with procurement regulations and should therefore be formally procured in accordance with the college's procurement policy/procedures.*

*However, where the college has a current/ongoing contractual relationship with a company (i.e. a formal procurement process has already taken place and a contract is in place), and such a supplier offers to provide 'free' or 'discounted' goods/services, then this may be considered (but should be checked by the procurement team prior to acceptance).*