

Fundraising and Donations Policy

The Actors' Trust

1. About this policy

- 1.1 The Actors' Trust ("**we**", "**us**", the "**Charity**") is committed to ensuring that its fundraising activities are legal, open, honest and respectful as well as being in the best interests of the Charity in furthering its charitable objectives.
- 1.2 This policy covers all fundraising activities carried out by the Charity, including but not limited to:
 - Collecting donations via post, phone and online;
 - Becoming a Friend;
 - Becoming a member; and
 - Leaving a legacy.
- 1.3 Other relevant policies and guidance include the Charity's GDPR Policy, Conflicts of Interest Policy and Safeguarding Policy, as well as guidance from the Charity Commission, the Fundraising Regulator and the Chartered Institute of Fundraising.

2. Responsibility

- 2.1 The Trustees of the Charity take ultimate responsibility for compliance with this policy and with fundraising requirements more generally. The Trustees delegate responsibility for the operational management of fundraising to the Head of Development. However, some matters may need to be referred to the Trustees.
- 2.2 All personnel carrying out any aspect of fundraising activity on behalf of the Charity are responsible for ensuring that they are familiar with and adhere to this policy as well as the Fundraising Regulator's *Code of Fundraising Practice*.
- 2.3 This policy will be reviewed at least once every two years.

3. Research on donors

- 3.1 We must take steps to identify and (if necessary) verify the origin of donations that we receive by carrying out appropriate due diligence in accordance with the Charity Commission's guidance on *Due diligence, monitoring and verifying the end use of charitable funds*. What is appropriate will vary according to the size and nature of the donation. This approach will be applied to donations of £10,000 or more in order for the process to be manageable for the Charity to undertake, but can also be used for lower value donations / support if concern is raised.
- 3.2 There may be cases where we receive an anonymous donation. We can accept anonymous donations provided that we are on the lookout for suspicious circumstances and put in place additional safeguards. We will only accept anonymous donations up to the value of £25,000. Any anonymous donations

valued at £25,000 or more must be reported to the Charity Commission as a serious incident.

- 3.3 Any anonymous donations or suspicious donors/donations should be discussed with the CEO and in some cases should be referred to the Trustees.

4. **Vulnerable People**

Particular care must be taken when receiving donations from vulnerable people. If we have any concerns about whether a potential donor has the capacity to make a decision or may need additional support to help them make a decision, we should act appropriately in accordance with Charity Commission guidance. Any concerns about vulnerable people should be discussed with the CEO and a record should be kept of the decision-making process.

5. **Principles for decision making on acceptance of gifts**

The Chief Executive Officer has delegated responsibility and authority to consider and decide whether to accept a gift /donation up to £25,000 provided that due diligence has been undertaken. Gifts and donations between £25,000 to £100,000 will be referred to the Engagement and Fundraising Committee for approval.

Gifts and donations of £100,000 and upwards will be referred to the Board of Trustees for approval.

Due diligence will be carried out for all gifts and donations

6. **Refusal or return of donations**

- 6.1 We will only refuse or return donations in exceptional circumstances. Refusal or return of donations is a sensitive matter and could have implications for the Charity's reputation. The CEO must be consulted before any donation is refused or returned. Records must be kept of all decisions along with an explanation as to how the decision was made and why it was in the best interests of the Charity.

Refusal of donations

- 6.1.1 We will only refuse a donation if accepting it would be unlawful or would be detrimental to our ability to achieve our charitable objectives. The detriment must outweigh the benefits of having the funds to use towards achieving our charitable objectives. The following are examples of when this situation might arise, but every situation should be judged individually:

- (a) the donor does not have the mental ability to decide to donate;
- (b) the activities of the donor appear to be in direct conflict with the Charity's objects;
- (c) the donation is for purposes that fall outside of the Charity's purposes;
- (d) the donor or donation has features or conditions that may either undermine the Charity's reputation or may involve unacceptable private benefit to the donor;

- (e) accepting the donation poses a risk of a legal claim against the Charity; or
- (f) accepting the donation would require unacceptable expenditure or additional charity resources.

Return of donations

6.1.2 We will only return donations in the following situations:

- (a) if the Charity has made an administrative error, for example not cancelled a direct debit when requested;
- (b) the conditions attached to the donation say that it will be returned (for example, if not enough funds are raised for a particular appeal);
- (c) the law says that a donation must be returned (for example, if the Charity becomes aware that the donor lacked capacity at the time of the donation);
- (d) the donation is for purposes that fall outside of the Charity's purposes;
- (e) the donor or donation has features or conditions that may either undermine the Charity's reputation or may involve unacceptable private benefit to the donor;
- (f) there is a risk of a legal claim against the Charity if we were to keep the donation; or
- (g) there is a compelling moral reason to do so and this has been agreed by the Board of Trustees.

6.2 If we are unsure whether a donation should be refused or returned, or if there are any factors making the situation more serious (such as large sums of money being involved, the risk of a dispute, or reputational risks) we can approach the Charity Commission for guidance. Such a decision must always be considered by the Trustees.

7. Processing donations

7.1 Records will be kept of all correspondence in respect of donations, whether they are accepted or refused. These records will include at a minimum:

- 7.1.1 name, address and post code of the donor (this is required for Gift Aid);
- 7.1.2 contact details of the donor (email address and telephone number);
- 7.1.3 job title if a person is acting on behalf of an organisation;
- 7.1.4 date the donation was received; and
- 7.1.5 details of any special instructions or conditions attached to the donation, which must be confirmed in writing.

7.2 Donations below the value of £500 will be acknowledged by the Head of Development. Donations over £500 will be acknowledged by the CEO.

7.3 Any processing of personal data must have a lawful basis and be carried out in accordance with our GDPR Policy, the General Data Protection Regulation and the Data Protection Act 2018.

8. **Use of donations**

8.1 Donations must only be used for the purpose for which they were given, and this purpose must be within our charitable objectives.

8.2 Some donations will be unspecified and can be used for any activities that further our charitable objectives. Other donations will be for a specific purpose, set either by us or by the donor, and we will always respect this purpose. If it is not possible for us to use a donation in accordance with its purpose, or if conditions are so stringent that they prevent us from being independent, we will return the donation to the donor.

9. **Complaints**

9.1 Any complaints about our fundraising practices will be handled in accordance with our Complaints Policy. All personnel dealing with fundraising matters should be able to explain to members of the public how they can make a complaint.

Version control

Date	Action	Comment	Next review
<i>4 March 2025</i>	<i>Policy introduced</i>	<i>Approved by the Engagement & Fundraising Committee</i>	<i>March 2027</i>