

## ETHICAL FUNDRAISING AND GIFT ACCEPTANCE POLICY

Policy Lead	Director of Development
Reviewed By	Senior Team
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## 1. Introduction

- 1.1. North London Collegiate School (the School) welcomes offers of donations of all sizes which enable its continuing development and bursary funding. The School is a charity registered in England, number 1115843.
- 1.2. Donations must be freely given with no expectation of anything in return other than due thanks and recognition. The School is pleased to accept lawful donations which are given in good faith, and which are compatible with the School’s aims, values, and strategic objectives. The School does not accept donations when a condition of acceptance would compromise its autonomy, integrity, and reputation.
- 1.3. This policy applies to the whole school from Early Years Foundation Stage (EYFS) to Sixth Form.
- 1.4. This policy is available on the School website.
- 1.5. This policy must be read in conjunction with the following which are available on the School [website](#):
  - Anti-Money Laundering Policy (internal document)
  - Data Protection Policy
  - Data Retention Policy (internal document)
  - Fundraising and Development Privacy Notice
- 1.6. Copies of the above are held at the Senior School Office for consultation. You may also email the School at [office@nlcs.org.uk](mailto:office@nlcs.org.uk) to request hard copies which can be made available in large print or other accessible formats if required.

## 2. Aims and objectives

- 2.1. This policy seeks to outline the principles by which the School will or will not pursue potential donations, and to establish guidelines governing potentially controversial gifts or donors.
- 2.2. Its purpose is to allow prospective donors the freedom to direct their gifts to their areas of interest, whilst safeguarding the best interests of the School.

2.3. How to give to the School is explained on the [Ways of Giving](#) page on the School website. The School can receive non-cash donations and payments in other currencies, but all such gifts should be discussed and agreed with the School in advance.

### **3. Statutory and regulatory framework**

3.1. This policy complies with the following statutory regulations:

- UK General Data Protection Regulation
- [Data Protection Act 2018](#) (DPA)
- [The Privacy and Electronic Communications \(EC Directive\) Regulations 2003](#) (PECR)

### **4. Scope and responsibilities**

4.1. This policy and related documents apply to anyone who works or acts on behalf of the School including but not limited to staff, volunteers, and Governors.

4.2. In accordance with the DPA and UK GDPR, the School has notified the Information Commissioner's Office (ICO) of its processing activities. The School's ICO registration number is Z4994269 and its registered address is Canons Drive, Edgware, Middlesex, HA8 7RJ.

4.3. Whilst the School is the Data Controller, the School's Chief Operating Officer is the 'Data Protection Lead', who will endeavour to ensure that all personal data is processed in compliance with the UK GDPR.

4.4. The School is registered with the Fundraising Regulator and aims to meet the standards set out in the [Code of Fundraising Practice](#).

### **5. Ethical fundraising principles**

5.1. Fundraising solicitations on behalf of the School will:

- be truthful;
- accurately describe the intended use of donated funds; and
- be made in accordance with any applicable requirements under charity law and the Code of Fundraising Practice, issued by the Fundraising Regulator.

5.2. Volunteers and employees who solicit funds on behalf of the School shall:

- adhere to the provisions of these guidelines;
- act with fairness, integrity, and in accordance with all applicable laws;
- adhere to the provisions of any applicable professional codes of ethical practice which apply to them as individuals;
- cease solicitation of a prospective donor who identifies solicitation as harassment or undue pressure;

- disclose immediately to the Head and Governing Body any conflict of interest; and
  - not accept donations for purposes that are inconsistent with the School's strategic and educational objectives.
- 5.3. Paid fundraisers, whether employed staff, short-term contractors, or consultants, will not be paid finders' fees, commissions or other payments based on either the number of gifts received, or the value of funds raised. They will be compensated by a salary, hourly wage, or fee. Their compensation will be consistent with the School's policies and practices that apply to non-fundraising personnel.
- 5.4. Any donor records held by the School will be maintained in accordance with the School's Data Retention Policy and [Data Protection Policy](#) which can be found on the School website and all relevant statutory legislation. You can request a copy of the School's Data Retention Policy by contacting the Senior School Office.
- 5.5. The School will not sell its donor and alumnae lists and contact details.
- 5.6. The Governing Body will be informed at least termly of the number and nature of any complaints received from donors or prospective donors about matters that are addressed in these guidelines.
- 5.7. The Governing Body will be informed at least termly of the number and nature of any complaints made to the Fundraising Regulator about the School.
- 5.8. In cases where a donor wishes to remain anonymous, such anonymity will be respected for all public purposes. The School will, however, disclose details of any donor where it is required to do so by law, by any governmental or other regulatory authority, or by order of a court. The identity of anonymous donors will be known only to the Head, the Director of Development, and the Chair of Governors, and to those school staff who process the gift.
- 5.9. The School has a separate Donor Recognition and Naming Opportunities Policy for internal management purposes.

## **6. Gift acceptance**

- 6.1. The School encourages the solicitation and acceptance of gifts and grants that enable it to fulfil its strategic objectives. Gifts may be sought from individuals, corporations, and foundations. They will be sought only for purposes that have been approved by the School's Governing Body.
- 6.2. The School is legally obliged to adhere to the terms and conditions of every gift. For this reason, the terms of each gift must be considered with the utmost care to be sure they are feasible, do not unduly hamper the usefulness and desirability of the gift, and are in accordance with the School's policies.

- 6.3. The School is unable to accept gifts which are too restrictive in purpose or inconsistent with the stated academic purpose, priorities, strategic objectives, and values of the School.
- 6.4. When receiving a donation from a new donor, the School will undertake appropriate professional research on the donor and donation.
- 6.5. Gifts that may expose the School to adverse publicity, require expenditure beyond the School's resources, or involve the School in unexpected responsibilities because of their source, condition, or purposes, will not be accepted.
- 6.6. Gifts received by the School must not inhibit it from accepting gifts from other donors. The School also cannot accept gifts which involve unlawful discrimination on any basis. Gifts that may result in current or future financial obligations for the School or that will have an impact on school facilities and grounds will require prior approval of the Governors. Gifts that involve naming a school facility will also require approval of the Governors.

## **7. Potential gifts which may have a controversial dimension**

- 7.1. The following issues should be considered for all potential gifts and prospective donors which may have a controversial dimension:
- 7.2. Would acceptance of the potential gift be inconsistent with the School's strategic and educational objectives and values?
- 7.3. Is there published or other credible evidence that the proposed gift will be made from a source that arises from an activity that:
  - evaded taxation or involved fraud?
  - violated international conventions that bear on human rights?
  - was illegal in whole or part?
  - is inconsistent with the values and reputation of the School?
- 7.4. Is there evidence that the proposed gift or any of its terms will:
  - require action that is illegal?
  - damage the reputation of the School?
  - create unacceptable conflicts of interest?
  - harm the School's relationship with its stakeholders (e.g., donors, parents, pupils, staff, and alumnae)?
- 7.5. If the Director of Development considers that the answer to any of the above questions might be yes, it is the Director of Development's responsibility, at the earliest possible stage, to alert the Head. In consultation with the Chair of Governors, the Head will then decide whether further discussion should be pursued with the potential benefactor.

- 7.6. The Chair of Governors may at this stage decide to convene an ad hoc Development Committee meeting. Prior to any meeting of the Development Committee, the Development Office will provide members with a briefing, including reasonable due diligence on the donor. Appropriate professional research will be undertaken on potential donors to address issues of reputational risk if there are any concerns about the identity of the donor. Gifts of sums greater than £5,000, as a one-off donation or multiple donations in a year that equal or exceed that figure, are not accepted where the sources are unknown to the School or cannot be verified.
- 7.7. The Director of Development is also jointly responsible with the Finance Director for ensuring the School's adherence to the Anti-Money Laundering Policy and the due diligence process described above will also check for possible money laundering activities around donations. If you would like more information about this, you can request a copy of the School's Anti-Money Laundering Policy by contacting the Senior School Office.

## **8. Use of different types of gift**

### **8.1. Unrestricted gifts**

Unrestricted gifts are those placed at the immediate disposal of the School. They may be expended on any purposes approved by the Governors.

### **8.2. Restricted gifts**

Restricted gifts are placed at the immediate disposal of the School and must be expended on purposes defined by the donor, such as means-tested bursaries. They are accepted according to the terms outlined in this policy. Donor restrictions are accepted only when they do not add unapproved budgetary or administrative burdens on the School.

### **8.3. Endowments**

Endowment gifts will be managed according to the investment and expenditure policy approved by the Governors. The Governors will establish a long-term endowment rate, being the percentage they expect to draw down from the endowment fund each year, and which is therefore available to be spent on operating costs for each future year. This rate may be communicated to donors so that they can see the impact of their endowed gifts. Unrestricted endowment gifts are encouraged.

### **8.4. Legacies**

A legacy is a gift of any amount or form made to the School in a donor's will. Legacies may be residuary, pecuniary, specific legacy bequest, or reversionary. Donors who notify the School of their intention to leave a bequest to the School are entitled to be enrolled as a member of the Frances Mary Buss Fellowship, our legacy group.

#### **8.5. Restrictions on endowments and legacies**

Donors should be aware that over the (sometimes many) years following the establishment of an endowment or a legacy gift, the needs, policies, and circumstances of the School can change in unforeseen ways. The Governors must have the flexibility to make use of funds in the best interests of the School, while doing so in accord with donor interests and specifications. For this reason, donors are advised to describe the specific purposes of their gifts as broadly as possible and to avoid detailed limitations and restrictions. Donors considering legacies for a specific purpose are encouraged to consult the School's [Development Office](#) at an early stage.

### **9. Monitoring and review**

9.1. The Senior Team will regularly monitor and evaluate the effectiveness of this policy, and associated procedures.

9.2. The policy will be reviewed every two years (or more frequently if changes to legislation, regulation or statutory guidance so require) by the Director of Development and the relevant committee of the Governing Body.

9.3. The date of the next review is seen on the front page.