



OPERATION FLORIAN LIMITED

FUNDRAISING POLICY and PROCEDURE

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Fundraising Policy 18 Version 1: November 2020

Registered Office: The Fire Station, Ardsheal Road, Worthing, West Sussex, BN14 7RN: Charity Registration No. 1149445
Limited Company No. 7909070

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1. Introduction

1.1 At Operation Florian Ltd, 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.

1.2 We will be honest about how donations are used to fulfil our mission, 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 steps necessary to comply with the law and sector fundraising practice standards.

- We will take responsibility for our actions, ensuring that our fundraising is carried out in line with the Code of Fundraising Practice.
- Nobody directly or indirectly employed by or volunteering for Operation Florian Ltd shall accept commissions or bonuses for fundraising activities on behalf of Operation Florian Ltd.
- No general solicitations shall be undertaken by telephone or door-to-door to the public.
- If our fundraisers, those employed by Operation Florian Ltd or contracted to fundraise on our behalf, identify signs of vulnerability, they will respond appropriately and according to the principles of being legal, open, honest and respectful.
- 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.
- We will treat donors fairly. We will not discriminate against any group or individual.
- 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 This policy and related procedures takes into account the following legal requirements and regulatory codes, standards and guidance:

- Charities (Protection and Social Investment) Act 2016
<https://www.fundraisingregulator.org.uk/more-from-us/resources/charities-act-2016-fundraising-reporting-requirements-guidance>
- Charities Act 2006 Fundraising Policy 4 Version 1: Aug 2018
- Charities Act 1992 <https://www.legislation.gov.uk/ukpga/2016/4/contents/enacted>
- Data Protection Act 2018
<https://www.legislation.gov.uk/ukpga/2018/12/contents/enacted>
- General Data Protection Regulation (GDPR).
<https://ico.org.uk/for-organisations/guide-to-data-protection/guide-to-the-general-data-protection-regulation-gdpr/>
- Safeguarding Vulnerable Groups Act 2006
<https://www.legislation.gov.uk/ukpga/2006/47/contents>
- Equality Act 2010
<https://www.legislation.gov.uk/ukpga/2010/15/contents>
- Payment Card Industry Data Security Standards (PCI-DSS).
https://www.pcisecuritystandards.org/pci_security/
- Fundraising Regulator Code of Fundraising Practice
<https://www.fundraisingregulator.org.uk/code>
- Institute of Fundraising Treating People Fairly Guidance
<https://www.institute-of-fundraising.org.uk/guidance/managing-fundraising/safeguarding-and-whistleblowing/keeping-fundraising-safe/protecting-supporters/>
- Gambling Act 2005
<https://www.legislation.gov.uk/id/ukpga/2005/19>
- Mental Capacity Act 2005
<https://www.legislation.gov.uk/ukpga/2005/9/contents>
- Bribery Act 2010
<https://www.legislation.gov.uk/ukpga/2010/23/contents>

3. Fundraising compliance

3.1 Operation Florian Ltd Trustees take ultimate responsibility for fundraising compliance. They delegate operational management of fundraising to the Chair and Trustee's Board.

3.2 The nominated Trustee has the role of Operation Florian Ltd Fundraising Compliance Officer.

4. What are the fundraising activities covered by this policy?

4.1 Charitable Funds consist of but are not exclusively limited to:

- Money left in a legacy for the benefit of Operation Florian Ltd
- Money which has been raised through fundraising events
- Money which has been donated as a result of a fundraising appeal
- Corporate sponsorship
- Charitable foundation funds
- Tangible personal property (gifts-in-kind)
- Pledges (for example Fixed Crowdfunding)

5. Staff responsibilities

5.1 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 of Operation Florian Ltd, who as the Trust Board of Operation Florian Ltd, delegate responsibility to nominated Trustee.

5.2 Operation Florian Ltd Board is responsible for implementing this policy and adhering to the related procedures. They should make themselves familiar with the Code of Fundraising Practice and the Institute of Fundraisings (IoF) Treating Donors Fairly guidance.

5.3 Roles with responsibility for fundraising are:

- Nominated Trustee
- Operation Florian Board
- Chair
- Treasurer
- Other colleagues who from time to time will be directly or indirectly involved in fundraising activity

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6. Fundraising by staff

6.1 Participation in fundraising activities (for the purposes of this policy, meaning specifically participating in or completing the activity) by members/friends is voluntary and should not be imposed on individuals. The existing charity insurance arrangement covers members for certain 'low risk' fundraising activities, however approval must be sought from the nominated Trustee prior to the commencement of the activity. Any event not covered by this policy must obtain its own insurance cover and be approved by Operation Florian Ltd.

7. Vulnerable people

7.1 When responding to a supporter or member of the public in vulnerable circumstances, charity members must take all necessary steps to understand if the supporter is able to make an informed decision about donating to Operation Florian Ltd and respond appropriately. If a supporter is deemed unable to make an informed decision the member of charity must not accept the donation.

7.2 Operation Florian Ltd will ensure two members of the charity are present when receiving a donation from a vulnerable donor e.g. with illnesses or conditions which affect their judgement.

8. Acceptable fundraising activities

8.1 Before fundraising activity can be initiated approval must be sought from the nominated Trustee of Operation Florian Ltd.

8.2 All fundraising by means of lotteries, e.g. raffles, etc. must comply with the required licensing arrangements Fundraising Regulator Code of Fundraising Practice.

8.3 All fundraising publicity must state quite clearly how the fundraising will benefit Operation Florian Ltd and where further information of Operation Florian Ltd's fundraising policy can be located.

8.4 It shall be the responsibility of the nominated Trustee to coordinate the soliciting of funds from individuals, foundations, businesses, corporations and organisations in order to avoid an excessive number of solicitations in the name of Operation Florian Ltd.

9. Donations or gifts

9.1 Operation Florian Ltd 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.

9.2 Additionally Operation Florian Ltd will not work with companies or individuals who participate in activities which:

- could cause detriment to the charity's 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 e.g. arms dealings and tobacco
- are from individuals, groups or organisations which are known to take advantage of older or vulnerable people
- are personal gifts to Operation Florian Ltd members, which should be discouraged at all times
- are from unknown sources of funding. Operation Florian Ltd will take reasonable 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

9.3 If charity member/supporters wish to make a donation to a specific area of Operation Florian Ltd's work then they make a specified donation by providing written/electronic instruction to this effect with their donation.

Operation Florian Ltd will always respect this. If Operation Florian Ltd is unable to accept the request for the specified donation and sponsor does not want the donation used in any other way Operation Florian Ltd will refund the donation.

9.4 Refusals of donations or gifts

- If a donation is received which may not be acceptable under the terms of this policy the any Trustee will alert the nominated Trustee and Charity Chair 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 the Operation Florian Ltd guidance on the handling of such donations.

9.5 Donation or Gift processing

- All donations or gifts must be conveyed to the nominated Trustee at the earliest possible opportunity accompanied by all original correspondence pertaining to the donation or gift, which will be forwarded and filed by the Treasurer. A receipt of donation form should also be completed with the donor, including their full name and contact details, and address.
- On receipt, all donations should be processed through the donation record management system, which is maintained by the Treasurer.
- When donations or gifts are received, a completed receipt of donations form must accompany them. The Treasurer is responsible for allocating the donation to the appropriate fund/project as described on the form by the fundraising office

9.6 A 'Receipt of Donation' record will be completed by the Treasurer and the following information must be included on the sheet:

- The donor's name and complete address must be provided. If the gift is from other than an individual i.e. corporation, organisation, charitable trust, etc. a contact name and job title should be reported in addition to that of the company
- Email address (where available) and telephone number of the donor
- Date of gift received
- Other special instructions i.e. is this a specified or unspecified donation
- Does the donor require notification of when the donation was spend or what it was spent on?
- Upon receipt of a unique donation (i.e. restricted (for a specific purpose) or unrestricted (for any charitable purpose) donation) and the appropriate supporting documents to the Treasurer will record the donation and send acknowledgement of receipt to the donor
- Is the donor happy for their donation to be acknowledged publicly e.g. on the Operation Florian Ltd website / in the Operation Florian Ltd annual report

9.7 Gifts in memoriam - donations or gifts to honour, in remembrance or otherwise recognise individuals, whether the donor is living or by bequest, will be received by the Treasurer. It will be the policy of the Operation Florian Ltd not only to receive such gifts but also encourage efforts to remember and honour donors

9.8 Legacies

- The nominated Trustee deals with all contacts regarding legacies. If members are contacted by potential legators, they must refer the conversation to the nominated Trustee, and agree a relationship management plan
- The nominated Trustee will notify the Board and the Chair of a potential legacy and seek legal advice should there be requirements around the Will/bequest
- When the legacy money is received, this will be processed by the nominated Trustee. The nominated Trustee will deal with all administrative arrangements including correspondence with the solicitors or family to acknowledge receipt of the monies. The nominated Trustee will also be responsible for confirming whether any publication of the bequest is appropriate
- All new legacies will be communicated to the Board of Trustees, both when notified and when received All legacies will be subject to the submission of an expenditure plan, prepared by the nominated Trustee for non-specific funds, to ensure that the terms of the bequest can be met within a reasonable time
- Operation Florian Ltd will encourage general legacies but will adhere to the strict wishes of the legator at all times

9.9 Pledges (fixed crowd funding) - sponsors may be allowed to make pledge commitments to be paid over a specific period of time or when it is appropriate for items to be bought upon receipt

9.10 Solicitation of charitable trusts and corporates

- 9.10.1 It shall be the responsibility of the nominated Trustee to co-ordinate the solicitation of charitable trusts and companies. This co-ordination will ensure that an excessive solicitation of any single source of funds is avoided.
- 9.10.2 Operation Florian Ltd will not endorse products, treatments or companies. Sponsorship arrangements (for example of events) will be clearly publicised and conflicts of interest considered as part of event risk management

9.11 Fundraising Collections

- 9.11.1 Operation Florian Ltd will ensure that all fundraising collection is carried out sensitively to protect the organisation's reputation in the mind of the public
- 9.11.2 Operation Florian Ltd 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

9.12 Handling of Cash Donations – Operation Florian Ltd will adhere to the following good practice when handling cash donations resulting from face-to-face activities:

- 9.12.1 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)
- 9.12.2 Unsecured cash must never be left unattended or in an unattended environment
- 9.12.3 Cash must be banked as soon as is practicable
- 9.12.4 Cash not banked immediately must be placed in a safe or other secure location and nominated Trustee must be notified
- 9.12.5 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 the money

10. Reports to sponsors

10.1 It shall be the responsibility of the nominated Trustee, with the support of the Treasurer, to compile official reports on appeal donations/grants if requested by outside agencies or individual donors

11. Donor recognition

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11.1 A donor to Operation Florian Ltd is entitled to appreciation for his/her donation. Each donation will be acknowledged by the nominated Trustee if under £100 and the Chair if over £100

11.2 Sponsor' names may be published in the Operation Florian Ltd's Annual Report, newsletter, website and/or social media. It will be at the Boards discretion to inform the sponsor should there be a cost implication to their recognition, e.g. cost of plaque, etc.

12. Donor research

12.1 Research on donors 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 Operation Florian Ltd 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 nominated Trustee and the Board, with these members of Board fully briefed on the application of GDPR to this activity

13. Database of donors

13.1 The nominated Trustee shall be responsible for development, maintenance and compliance of a record of donors and prospects, working closely with the Treasurer and Chair and accountable to the Charity Board.

13.2 Operation Florian Ltd shall seek from members/friends, details of donors which may be used to solicit support

13.3 Data held regarding potential donors will be destroyed when it becomes clear that they do not wish to be approached by Operation Florian Ltd in regards to fundraising, or 3 years after they have been identified as a prospect, whichever is sooner

13.4 Operation Florian Ltd 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

From time to time, Operation Florian Ltd may receive a donation or funding which is intended for use by more than one charity. Fundraising Policy 11 Version 1: Aug 2018

Where the funding has been solicited 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. Operation Florian Ltd is committed to providing reporting around donation sharing within a reasonable framework.

15. Complaints

15.1 Operation Florian Ltd will respond to all complaints from sponsors and members of the public in a timely, respectful, open and honest way in line with Operation Florian Ltd Policy 7 Complaints Procedure.