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**FirstLight Fundraising Policy**

**(Incorporating Code of Good Practice)**

**Introduction**

The purpose of this policy is to enable FirstLight to have a clear and consistent ethical policy in relation to fundraising.

Irrespective of any internal delegation procedures within FirstLight, the ultimate responsibility in respect of fundraising practices rests with the legally appointed Council.

The first part of this policy statement will deal with the general governance and ethical position of FirstLight in relation to fundraising and specifically acceptance/refusal of donations, while the second part will deal with our relationship with business, the most common area where ethical issues arise.

The Charities Act 2009 provides guidance in relation to this. However, there are other relevant legal principles that the Board and their advisors should ensure are met when deciding whether or not to accept donations.

The law requires trustees, in deciding whether to accept or refuse a particular donation, to consider which course will, taking an overall view, be in the charity’s best interests. The law allows practical and ethical factors to be taken in to account as long as they are ones that are likely to affect the interests of the charity.

Given the difficulties of predicting all the various scenarios that may arise, this policy seeks to provide some general guidance.

The overriding principles are that FirstLight will;

* conduct all fundraising within the law and not damage FirstLight’s good name in the pursuit of raising money
* Fundraising methods will never be allowed to exploit our clients or staff or to compromise their situation or reputation.

The first of these overriding principles are a given and may lead to external sanction if fundraising is conducted outside the law. The second principle is an internal matter for FirstLight and is at the core of this paper.

**Establishing a policy on the acceptance/refusal of donations**

A clear policy on the acceptance/refusal of donations is important for all charitable organisations. Such a policy, acceptable to all those associated with FirstLight and agreed formally by the Council will:

* Ensure compliance with legal regulations where appropriate
* Clarify the legal obligations with regard to the acceptance/refusal of donations
* Avoid confusion as to who has the authority to take decisions in differing circumstances
* Help to ensure that decisions are not made on an ad hoc basis but are grounded in the mission and agreed objectives of the organisation
* Provide a clear objective standard against which external regulatory bodies can judge the actions of the charity in cases of potential or actual dispute
* Provide a clear, unambiguous policy statement making decisions intelligible, easier to justify and credible to the public at large
* Protect the reputation of the charity against adverse public reaction from existing or potential supporters

**Policy for the acceptance/refusal of donations**

1. Responsibility for all decisions rests with the legally appointed Council of FirstLight.
2. The Council will at all times endeavour to take all decisions relating to the acceptance/refusal of donations in the best interests of FirstLight.
3. The Council will aim to demonstrate that they have acted in the best interests of FirstLight irrespective of any individual or collective personal interest or predilection, in each and every case.
4. The Council will be particularly careful when refusing donations based solely on the grounds of expediency, as judged by themselves.
5. The Council will derive no personal benefit (individually or collectively) from donations, loans or other material support offered to FirstLight. Where material personal benefit is tied to support, the support, the benefit, or both will be declined.
6. Where it is clear that the activities of a donor are directly inimical to the objectives of FirstLight, the agreed policies of FirstLight, or to the beneficiaries of FirstLight, the Council may decide to refuse a donation.
7. Where it can be clearly shown that the cost to FirstLight of accepting a donation will be greater than the value of the donation itself, the Council may decide to refuse the donation.
8. Where the offer of support is dependent upon the fulfilment of certain conditions placed upon FirstLight, the Council have the right and may decide to refuse that support.
9. Such cases might exist where;
	1. any condition linked to the support is, in itself, contrary to the objectives of FirstLight
	2. any condition linked to the support is regarded as unreasonable in relation to the nature of the support in terms of its size or impact on the work of FirstLight
	3. where conditions linked to the support will divert FirstLight from pursuing its current objectives, policies or work priorities as a necessary result of the fulfilment of the conditions alone
	4. where the conditions linked to the support tie the funds and/or property offered to a specific activity, that activity must itself be;
	5. charitable in nature
	6. within the scope of legitimate action permitted by the charitable objects of FirstLight and the powers granted to achieve those objects and
	7. be practically achievable by FirstLight
10. Where an offer of support is itself dependant upon FirstLight first spending its own money or resources in order to facilitate the execution of the original offer of support, great care will be taken by the Council to avoid placing charitable assets under undue and inappropriate risk.
11. Practical considerations might mean that an otherwise acceptable donation must be refused.

Such cases might exist:

* 1. Where support is tied to a particular project or activity which whilst reflecting the charitable objectives of FirstLight, is nevertheless impractical, given the current standing of the organisation.
	2. Where the support is presented in an unconventional manner and the cost of processing the donation exceeds the value of the donation.
	3. Where the support consists of goods, services or property which FirstLight cannot lawfully use, convert, exchange or sell in direct support of its charitable objects.
1. Where a change in the donor’s circumstances prompts a request for the return of all or part of the donation, great care will be exercised by the Council.
2. On occasion, the Council may wish to refuse a donation, or delay its acceptance, with a view to inviting the donor to make the gift in a more tax efficient manner.

**Relationship with Business and Corporate Partnerships**

The purpose of this section is to enable the staff and management within FirstLight to make clear and consistent decisions regarding the formation of partnerships with the corporate sector.

The fundraising strategy for FirstLight makes reference to the formation of partnerships with the corporate sector. All of FirstLight’s relationships with the corporate sector will need to be guided by the organisation’s commitment to supporting families that experience the sudden death of a child.

At the same time, opportunities for corporate partnerships are being created by the

* widening role of the private sector in civil society
* growth in mutually beneficial alliances between the corporate and voluntary sectors
* increasing potential to secure corporate support for FirastLight’s work
* ability of companies to promote FirstLight’s services to a wider audience

There is no single, specific statute to guide FirstLight’s Council in law in this area. However, there are relevant ethical and other principles that the Council and staff will wish to consider when deciding whether or not to establish a partnership with a particular company. In addition, the Voluntary Fundraising Code arising from the Charities Act 2009 offers high level guidance

**Definitions:**

For the sake of clarity the following definitions apply in this document:

The “Corporate Sector” means any registered business in Ireland or abroad.

“Corporate Partnership” means a public, active and on-going association with a business, which has been solicited either by FirstLight or the business and has been established for the mutual benefit of the business and FirstLight.

**Establishing a policy on the formation of corporate partnerships.**

A clear policy on the formation of corporate partnerships is important for all charitable organisations.

Such a policy, acceptable to all those associated with FirstLight and agreed formally by the Council will:

* clarify the considerations which the Council see as determining FirstLight’s relations with the private sector
* ensure compliance with legal regulations where appropriate
* help to ensure that decisions are not made on an ad hoc basis but are grounded in the mission and agreed policy objectives of FirstLight
* provide a clear objective standard against which external regulatory bodies can judge the actions of the charity in cases of potential or actual dispute
* provide a clear, unambiguous policy statement making decisions intelligible, easier to justify and credible to the public at large
* protect the image and reputation of FirstLight against adverse public reaction from existing or potential supporters

While the policy cannot anticipate every situation, it can be used as a reference point, against which decisions can be made in the best interests of FirstLight.

**Policy for the Formation of Corporate Partnerships**

1. The formation of corporate partnerships is an important element of the fundraising strategy of FirstLight. Partnerships may be formed as a result of proactive targeting of specific companies or as a result of companies approaching FirstLight.
2. A corporate partnership is defined as a public, active and on-going association with a business, which has been solicited either by FirstLight or the business and has been established for the mutual benefit of the business and FirstLight.
3. All significant new partnerships must be notified and approved by the Council.
4. Partnerships with corporate partners may encompass a range of activities such as;
	1. Cause related marketing
	2. Employee Fundraising
	3. Promotion of FirstLight brand on or with its products
	4. Joint or sponsored events
	5. Research projects
	6. Sponsorship of aspects of FirstLight’s services
	7. Sponsorship of FirstLight publications
	8. Gifts in kind, such as equipment, vehicles and the use of premises
5. Before forming a partnership with a company an assessment will be made by FirstLight’s CEO of the potential benefit and the risks attached to the association. This assessment will take account of the following;
	1. The financial stability of the company. This may involve scrutiny of the company accounts and an assessment of its financial stability.
	2. The reputation of the company. If there are any concerns regarding the public image of the company they will be considered with regard to any negative effect this could have on the image of FirstLight – whether or not a negative public image may be justified.
	3. Exclusions: Companies whose business includes the following will be excluded from a partnership with FirstLight because partnerships with such companies will pose a potentially serious threat to FirstLight’s integrity:
		1. Manufacturers of appliances the purpose of which is to inflict torture
		2. Producers of pornographic material or material which may be judged to be abusive of individuals
		3. Companies involved in the nuclear industry
		4. Any Companies whose activities are inimical to children as decided by the Council from time to time .

**Updated 2 October, 2018**