



CODE OF ETHICAL FUNDRAISING FOR EPSOM COLLEGE

Introduction

At the heart of fundraising ethics lies the need to ensure that the trust of the donor is not violated, which requires openness, transparency and respect. The following code is designed to this end.

Epsom College is registered with the Fundraising Regulator and is committed to the Fundraising Promise. Epsom College, its employees and volunteers, work to the Fundraising Promise. The Promise is referenced at the end of this code.

A. Donors' Rights

1. All fundraising solicitations, by or on behalf of Epsom College, will disclose the name of Epsom College and the purpose for which the funds are requested. Printed solicitations (however transmitted) will also include the College's address and other contact information, plus the Fundraising Regulator's badge and College Charity number:312046.

2. Donors and prospective donors are entitled to the following, promptly upon request:

- the most recent financial statements of Epsom College (as filed at Companies House)
- confirmation of the charitable status of Epsom College
- a copy of this ethics code
- whether an individual soliciting funds on behalf of Epsom College is a volunteer or an employee. If carrying out a charitable collection, and an individual is paid more than £10 per day or more than £1,000 per year to collect donations for the benefit of Epsom College, the individual must be able to disclose the name of the charitable institution and the proportions in which they will benefit; that they are an officer, employee or member of Epsom College; and that they are receiving payment

3. Donors will be encouraged to seek independent advice if the College has reasonable cause to think that a proposed gift might adversely affect the donor's ability to honour existing financial commitments or legal or social obligations.

4. The privacy of donors and prospective donors, including requests to remain anonymous, will be respected within the constraints of the law. Any donor or prospective donor's records that are maintained by Epsom College will be

kept confidential within the constraints of the law. Donors have the right to see their own donor record and to challenge accuracy. The College has a privacy policy. *Please see reference at end of this code.*

5. Donors and prospective donors will be treated with respect. Every effort will be made to comply with their requests:

- to limit the frequency of solicitations
- not to be solicited by telephone or other technology
- not to receive any printed material concerning the School

Working within the Fundraising Regulator's recommendations, we seek to ensure no unreasonable intrusion, no unreasonable persistence and no undue pressure appertaining to our fundraising work.

6. In line with the Fundraising Code, Epsom College will respond promptly to a complaint by a donor or prospective donor about any matter that is addressed in this ethics policy. The Director of Development will make every effort to satisfy the complainant's concerns. Where the complainant is not satisfied with the proposed resolution of the complaint this will be referred to the Head and, if still not resolved, thereafter to the Chair of Governors. For staff or volunteers who have concerns, the Epsom College Whistle-blower policy will preside over how to make a complaint and, if still not resolved, then the Chair of Epsom College.

B. Fundraising Practices

1. Fundraising solicitations on behalf of Epsom College will:

- be legal, decent, honest and truthful
- meet the standards of the CAP Non-Broadcast Code (The UK Code of Non-Broadcast Advertising and Direct & Promotional Marketing) *Please see reference at end of this code.*
- fairly and informatively describe Epsom College's activities in relation to whatever the donor has intended for the College's use of his/her donated funds
- respect the dignity and privacy of those who benefit from the College's activities.

2. Volunteers and employees who solicit or receive funds on behalf of Epsom College shall be required to:

- have read the Fundraising Regulator's Code of Fundraising practise, the CAP non-broadcast code, and the College Data Protection Policy and Privacy notice
- understand and work to the Fundraising Promise as set by the Fundraising Regulator
- adhere to the provisions of the Fundraising Code
- act with fairness, integrity, and in accordance with all applicable laws
- adhere to the provisions of applicable professional codes of ethics, standards of practice
- prevent unreasonable intrusion, unreasonable persistence or undue pressure
- identify vulnerable persons, and/or vulnerable circumstances, and be required to make an informed decision as to whether or not to ask for, or accept, a donation
- cease and desist from any further solicitation of a prospective donor who, to the knowledge of Epsom College, identifies solicitation as harassment or undue pressure

- disclose immediately to Epsom College any actual or apparent conflict of personal interest, and not to accept donations for purposes that are inconsistent with Epsom College's objects, objectives or mission.

3. Paid fundraisers, whether staff or consultants, will be compensated by a salary, retainer or fee, and will not be paid finders' fees, commissions or other payments based on either the number of gifts received or the value of funds raised. Compensation policies for fundraisers, including performance-based compensation practices (such as salary increases or bonuses) will be consistent with the College's policies and practices that apply to non-fundraising personnel.

4. Epsom College will not engage professional fundraisers or enter into arrangements with commercial participators without the approval of the Governor's Sub-Committee members.

5. Epsom College will not sell, or rent out, or share with any third party outside of Epsom College, its supporters list or any other personal information.

6. The Chair of the Governors Sub-Committee will be informed within 14 days of any complaints by donors or prospective donors, and of all the action taken.

C. Financial Accountability

1. The financial affairs of Epsom College will be conducted in a responsible manner, consistent with the ethical obligations of stewardship and the legal requirements of HMRC and the Fundraising Regulator.

2. All donations will be used to support the charitable purposes of Epsom College.

3. All restricted donations will be used for the purposes for which they are given. If necessary, due to programme or organisational changes, and subject to due compliance with the constraints of charity law, alternative uses will be discussed where possible with the donor or the donor's legal designate. If the donor is deceased or has become legally incompetent, and the College is unable to contact a legal designate, subject to compliance with charity law in such circumstances the donation will be used in a manner that is as consistent as possible with the donor's original intent.

4. The College's fundraising programme will be reviewed regularly by the Governors Sub-Committee.

D. Acceptance and Refusal of Donations

1. The ultimate responsibility to accept or refuse a donation resides with the Epsom College Board of Governors.

2. There is a legal obligation for Epsom College to undertake a degree of due diligence when accepting donations. In line with the Money Laundering, Terrorist Financing and Transfer of Funds Regulations 2017 the College completes due diligence on all donations in line with the Charity Commission guidance.

Basic due diligence is conducted for donations up to £10,000. For donations above £10,000 further due diligence will be conducted. All donations singular, or cumulative over £25,000 if unverified, will be reported to the Charities

Commission by the Director of Development. At all times the College will remain alert to suspicious activities, conduct or requests.

3. The College and its Governors will decline a donation on a variety of grounds. These will include a donation which:

- falls outside Epsom College's charitable objects or objectives
- consists of goods, property, or services, which Epsom College cannot lawfully use, convert, sell or exchange, in support of its charitable aims
- is dependent on the fulfilment of unacceptable conditions applied by the donor. For example, if the Governors believed such conditions would place the assets of Epsom College at undue risk
- evades taxation or involved fraud
- violates international conventions that bear on human rights
- involves in any illegal activity
- falls under the Proceeds of Crime Act
- could seriously damage the reputation of Epsom College
- is a cash sum over £1,000 where identity and motive cannot be identified.

4. Gifts from parents and families with children at the College are important because they help us provide high quality facilities and opportunities to all our pupils. The decision to make a donation will have no bearing on the academic, sporting or extra-curricular opportunities open to an individual pupil.

5. All donations are allocated to meet the donor's intentions and are non-refundable, unless there is a clear and moral reason which has been sanctioned by the Charities Commission, as may be needed for example to settle a legal claim, or the College is made aware of a reason after receipt, for which they would have initially not accepted the donation.

6. The donation will be recorded on the College Development Department database, which will show the amount, the donor's details and the intention for which the donation is made. All donations will be allocated as instructed by the donor. All non-prescribed funds (unrestricted) are to be allocated at the Head's discretion.

7. All donors receive a letter or email confirming their gift and the allocated fund to which it has been put forward.

Helen Tranter

17th May 2023

REFERENCES:

The Fundraising Regulator - The Fundraising Promise:

<https://www.fundraisingregulator.org.uk/more-from-us/resources/fundraising-promise>

Epsom College - Privacy Notice for Fundraising & Development:

<https://www.epsomcollege.org.uk/wp-content/uploads/2021/12/Privacy-notice-for-Alumni-July-2021-Dev.pdf>

Epsom College Anti-Money Laundering Policy is available on request from the Director of Finance at Epsom College.

The UK Code of Non-Broadcast Advertising and Direct & Promotional Marketing (CAP Non-Broadcast Code):

<https://www.asa.org.uk/codes-and-rulings/advertising-codes/non-broadcast-code.html>