

Ethical Fundraising Policy

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What this policy is for

This policy has been devised to provide Drake Music Scotland with guidance on fundraising in an ethical manner. It is also designed to provide transparency on its ethical fundraising policy for all its stakeholders (participants, staff, trustees, volunteers and supporters).

Context - Fundraising and Drake Music Scotland

Drake Music Scotland is a registered charity in Scotland (SC026908) and relies on grants and donations from a range of public and private sources for around two-thirds of its income.

Drake Music Scotland (DMS) employs a Development and Evaluation Manager who leads on applications to Trusts and Foundations and companies, and fundraising from community groups, events and individual donors with support from DMS Trustees, Chief Executive, other staff members and participants and their families. DMS also undertakes digital fundraising using social media platforms (Twitter, Facebook, Instagram, YouTube) to appeal for donations through online donation platforms such as Justgiving and Virgin Money Giving.

As a registered charity with the Office of the Scottish Charity Regulator (OSCR), Drake Music Scotland must comply with all regulation in the **Charities and Trustee Investment (Scotland) Act 2005**.

<https://www.legislation.gov.uk/asp/2005/10/contents>

Under section 7(4) of the Charities and Trustee Investment (Scotland) Act 2005, Scottish charities must prohibit the distribution of the charity's fund for non-charitable purposes. Trustees of charities that are governed by OSCR should seek professional legal advice if they are concerned about a particular donation in order to ensure that they fulfil their legal duties when opting to accept or refuse a donation.

Acceptance Criteria

DMS actively fundraises from a range of sources, listed above, to ensure the financial security of the organisation. The charity therefore accepts financial support from funders on the following conditions:

- DMS staff and trustees are satisfied that no adverse publicity will result from accepting such support.
- There is no attempt on the part of the organisation or individual to influence the charity's policy or actions either explicitly or implicitly.
- The donation is from an individual or organisation that does not participate in practices that are counter to the charity's values, aim, or mission, as defined in the Avoidance Criteria of this policy.

In order to ensure compliance with the above principles, the Development and Evaluation Manager, with support from the Chief Executive and trustees, will undertake due diligence to ensure that DMS understands what an organisation's or individual's business is and is assured that this is compliant with the guidance set out in this policy. In order to do this, research will be carried out using a range of publicly available sources, which may include the Electoral Register, Companies House, OSCR, newspaper reports and company websites.

Avoidance Criteria

DMS has a duty to demonstrate to OSCR that they have acted in the best interest of the charity, and that association with a donor does not compromise its ethical position, harm its reputation, or put future funding at risk. DMS complies with all relevant legislation, including money laundering rules (<https://www.fca.org.uk/firms/financial-crime/money-laundering-regulations>), the Bribery Act 2010 (<https://www.legislation.gov.uk/ukpga/2010/23/contents>) and OSCR guidance.

DMS would therefore not accept support where the donation or sponsorship:

- was known to be associated with criminal sources and/or illegal activity including fraud, tax evasion or money laundering
- was from an organisation engaged in modern slavery or human trafficking
- would help further a donor's personal objectives, which conflict with those of DMS
- would lead to a possible decline in support for DMS, and so risk a fall in the resources available to fund its work or damage its longer-term fundraising prospects
- would otherwise impact adversely on DMS's reputation

DMS will also not accept any funding from donors (Trusts and Foundations, companies, individuals) directly involved in activities that conflict with the values or aims of the organisation, including those engaged in activities or policies that promote prejudice and could lead to harm of people from Protected Characteristics groups.

Exceptions may be made to this policy with the explicit approval of the Board of Trustees. DMS will ensure transparency in the process and share this decision making with anyone who requests it.

Prospect Research and Data Protection

DMS Development and Evaluation Manager will ensure DMS's fundraising activity complies with the Data Protection Act 2018, the General Data Protection Regulation (GDPR) (as applicable) and the Privacy and Electronic Communications Regulations 2003, so that it does not obtain, process, store, sell or pass on data unlawfully.

When conducting prospect research, DMS Development and Fundraising Manager will:

- have a clear understanding of what information is fair and relevant to the purpose it is being used for and, particularly where personal data or special data is concerned, shall consider whether additional consent is required from the relevant data subject.
- not use unethical methods to obtain prospect research information; avoid personal prejudice and bias
- be honest and transparent about their purpose and their identity when seeking information
- consider the reliability of the sources of information used
- ensure that research when presented is accurate, relevant to its purpose and timely

Donors' Rights and Understandings

All information and records held in relation to donations and in the application of this policy will be available upon request by individuals as identified and under the restrictions of the General Data Protection Regulation and the Freedom of Information Act 2000. An individual's data will be protected as set out in the charity's Data Protection policy.

Donors' requests to remain anonymous will be respected as far as is legally, practically, and ethically possible.

The privacy of donors will be respected. Any donor records that are maintained by DMS will be kept confidential to the greatest extent possible. Donors have the right to see their own donor record.

Donors and prospective donors will be treated with respect. Every effort will be made to honour any requests they may make to:

- limit the frequency of solicitations
- not be solicited by telephone or other technology
- limit the amount or frequency of printed or online material concerning DMS that they are sent.

DMS will respond promptly to a complaint by a donor or prospective donor about any matter that arises from the implementation of this policy. DMS Development and Evaluation Manager will attempt to satisfy the complainant's concerns in the first instance. A complainant who remains dissatisfied may request in writing a review of their complaint by the Chief Executive and will be advised of the outcome of this review.

Transparency

A full list of DMS donors will be provided in DMS's Annual Report and Accounts.

DMS will communicate this policy to its stakeholders and will publish it on its website.

Further sources of help and advice

OSCR information on **Fundraising Guidance for Trustees:**

<https://www.oscr.org.uk/guidance-and-forms/fundraising-guidance-for-charity-trustees/>

Fundraising Regulator Code of Fundraising Practice

<https://www.fundraisingregulator.org.uk/code>

Institute of Fundraising Guidance for donation acceptance

[https://institute-of-fundraising.org.uk/IOF/media/IOF/Policy/iof-acceptance-refusal-and-return-a-practical-guide-to-dealing-with-donations-\(5\).pdf?ext=.pdf](https://institute-of-fundraising.org.uk/IOF/media/IOF/Policy/iof-acceptance-refusal-and-return-a-practical-guide-to-dealing-with-donations-(5).pdf?ext=.pdf)