

The Congregation of the Little Sisters of the Poor

Ethical Fundraising Policy

INTRODUCTION

The Little Sisters of the Poor are a charity committed to supporting the needs of vulnerable older people of modest means, by providing a caring home with safe accommodation, respite provision, and palliative end of life care.

We recognise our responsibility to behave in a legal, decent, honest and transparent way to inspire public trust and confidence in our mission, and to ensure appropriate safeguards and processes are in place to protect the people we support and our organisation's reputation.

As a central statement of principle, this Ethical Fundraising Policy seeks to cover the ethical issues and social responsibilities within all of our fundraising activities, including the cultivation, engagement, asking and stewarding of supporters.

It also sets out a clear ethical framework for partnerships, the donations we will accept and how we ensure we work in accordance with charity law and regulatory requirements.

All of our people, whether staff or volunteers, are responsible for acting in accordance with this policy. From time to time, they will be expected to engage in refresher training on the values, principles and practices associated with this policy, to ensure we take a consistent ethical approach across all of our operations.

This policy will be available on the Charity's website and feedback from donors will be encouraged. Donors and members of the public will be able to contact Little Sisters of the Poor if they have any concerns about the Charity's fundraising practices.

OUR COMMITMENT TO YOU

Little Sisters of the Poor values its donors, and recognises supporters as the lifeblood of the Charity. It will therefore seek to build long-term, respectful, mutually beneficial relationships with them.

To this end, the Charity will always thank donors and other funders (e.g. companies) for their support in ways that are as personal as possible.

Little Sisters of the Poor espouses relationship fundraising (as opposed to transactional fundraising).

LEGAL AND REGULATORY BASIS FOR POLICY POSITIONS

Fundamentally, Little Sisters of the Poor is motivated to develop this policy because they believe that they should treat donors and potential donors with honesty and respect. However, fundraising in the UK is an increasingly regulated activity.

Government guidelines state that no matter how charities decide to fundraise, they should have effective systems in place to ensure compliance with the law and fundraising legal duties. Indeed, the Charity Commission's guidance on charity fundraising sets out the following 6 principles to help trustees act in accordance with the law:

- Plan effectively - set-out, agree and monitor your approach to fundraising
- Supervise your fundraisers - establish a system to oversee your fundraising methods and fundraising carried out on behalf of the charity
- Protect your charity - make sure there is strong management of your assets and resources
- Comply with the fundraising laws and regulations - in particular in areas such as data protection and licensing laws
- Follow recognised fundraising standards - the Code of Fundraising Practice outlines the legal rules that apply to fundraising
- Be open and accountable - make sure your charity is well run and you comply with the statutory accounting and reporting requirements

The following laws and regulations are particularly pertinent (although there are others):

- Charities Act 2011
- Charities (Protection and Social Investment) Act 2016
- Gambling Acts (various)
- Health and Safety at Work Act 1974 (and various supplementary regulations)
- UK Data Protection Act 2018
- Privacy and Electronic Communications (EC Directive) Regulations 2003 (including all amendments to date)

These rules and regulations, as they relate to fundraising are overseen by five key agencies:-

1. The Fundraising Regulator
2. The Charity Commission
3. The Information Commissioner's Office
4. The Gambling Commission
5. Health and Safety Executive

The Fundraising Regulator produces, oversees and develops the Codes of Fundraising Practice which summarise the relevant rules and regulations for each type of fundraising. These rules apply to ALL organisations that engage in fundraising activities.

As members of the Fundraising Regulator's scheme, Little Sisters of the Poor commits to its Fundraising Promise which helps to ensure that organisations raising money for charity from the public do so honestly and properly. The charity follows the rules, regulations and best practice guidance issued by the Fundraising Regulator, and where these rules are changed or updated, Little Sisters of the Poor will develop a practical timetable for working towards compliance.

All fundraising personnel will be required to familiarise themselves with the fundraising Codes of Practice that pertain to their area(s) of work and they will be encouraged to attend appropriate training courses. Fundraising staff will also be encouraged to take out personal membership of the Institute of Fundraising (the professional body for fundraisers in the UK). Membership of the Institute requires a personal commitment to fundraising regulation and best practice guidance issued by the Fundraising Regulator.

Volunteer fundraisers working 'on behalf of' the Charity will also be required to familiarise themselves with the fundraising Codes of Practice that pertain to their area(s) of work.

Volunteer fundraisers acting 'in aid of' of the Charity, where these are known, will be sent a copy of the relevant Codes of Practice and asked to comply with them. The Charity will refuse to accept donations that have been acquired by volunteer fundraisers as a result of practices that are known to be unlawful, unduly coercive or result in donations from individuals deemed to be vulnerable.

TYPES OF FUNDRAISING UNDERTAKEN BY THE CHARITY

In general, Little Sisters of the Poor commits to fundraising in appropriate ways which:

- Do not constitute an unreasonable intrusion on any persons
- Do not constitute unreasonably persistent approaches for funds
- Does not place undue pressure on any person to give money or other property

Little Sisters of the Poor raises voluntary income through a variety of methods, including:-

- Community fundraising (community events organised by the Charity, sponsored events undertaken by individuals, public and private collections, raffles etc.)
- Online fundraising appeals (Easyfundraising, Amazon Smile, Crowdfunding)
- Individual appeals to donors through mailings, emails and newsletters
- The promotion of committed giving (regular donations through standing order / direct debit)

- The promotion of legacies and in memoriam giving
- Soliciting support from local, regional and national companies
- Church appeals
- Public appeals via print and radio media

We will always respect the wishes of donors regarding the allocation of funds. Supporters wishing to earmark their donation for a specific area of the Little Sisters work (e.g. PPE costs, renovation projects, day to day running costs, specific appeals etc.), can do so by providing written instructions to this effect with their donation. Unspecified donations can also be made, and used at the discretion of the charity towards the area of greatest need.

COMMUNITY FUNDRAISING

Community and event fundraising are broad terms, but in the context of this policy it means working in your local community with people, companies and volunteers to put on events or locally-based fundraising activities and campaigns which aim to:

- Raise funds for the Charity through voluntary donations and participation in activities such as raffles, fêtes, quizzes, dinners, etc.
- Raise awareness of the Charity
- Recruit new supporters and gain their consent to future fundraising marketing via mail, email, telephone and text
- Involve local communities

Community fundraising activities, whether organised by the Charity or volunteers acting on its behalf, will be undertaken in accordance with the Fundraising Regulator's Codes of Practice.

Where Little Sisters of the Poor is made aware that 'in aid of' volunteers are planning a fundraising activity, they will be sent the relevant Code(s) of Practice for that activity and asked to abide by it.

Any complaints received about fundraising methods will be investigated and logged and, if appropriate, measures will be put in place to address any issues in the future.

'In aid of' fundraisers will be asked to submit the funds raised from their event / activity within 21 days, without deducting expenses (which may be reclaimed separately). Failure to submit funds within an agreed period of time will result in the police being notified. This measure is intended to address any possible instances of fraud or theft of charitable funds.

OUR APPROACH TO DIRECT MARKETING

Personal data about individuals may be collected for specified, explicit and legitimate purposes and will not be further processed or used for entirely different purposes.

The purpose or purposes for which data is collected is outlined throughout the charity's cultivation process, and allows for supporters to specify the updates they would like to receive and the ways in which they would like to receive them (mail, telephone, email and text).

Direct marketing may be used by Little Sisters of the Poor to:

- Inform people about the Charity's aims, ideals and activities
- Send out newsletters and other updates about the Charity
- Solicit donations to fund the Charity's work
- Contact people about opportunities to volunteer with the Charity / get involved in fundraising for the Charity
- Send out invitations to events (fundraising and other)
- Send out raffle tickets

Fundraising mailings will only be sent to people who have opted in to receive them or, if they are donors who have donated in the last two years, have not opted out of receiving them. Likewise, telephone, email and text appeals will only be made to people who have opted in to hear from the Charity through these channels.

There will be no more than six direct marketing appeals directed at the same donor within the space of a year.

Little Sisters of the Poor will screen against the Telephone Preference Service and the Corporate Telephone Preference Service before making any direct marketing calls. Individuals and companies registered on the TPS and CTPS will not be contacted unless Little Sisters of the Poor has explicit opt-in consent.

Where the stories and / or photographs of beneficiaries are used for direct marketing purposes, consent will be obtained from them and / or their family.

CONSENT

The UK Data Protection Act 2018 fully complies with the General Data Protection Regulation (EU) 2016/679 (GDPR). Everyone responsible for using personal data has to follow strict rules called 'data protection principles', to make sure that information is used fairly, lawfully and transparently.

The Little Sisters of the Poor have adopted the Act's high standard for consent, which must be unambiguous and involve a clear affirmative action, known as an opt-in. Pre-ticked opt-in boxes have been banned and options for distinct processing operations are provided.

All the relevant regulators urge that the safest form of action is to seek opt-in consent to direct marketing through all appropriate channels (post, email, telephone and text). Little Sisters of the Poor has therefore produced opt-in consent forms for distribution at community fundraising and other events.

Where consent is given verbally, a written note will be made to record:

- What types of direct marketing the individual has consented to
- Through which channels direct marketing may be communicated
- What fair processing / privacy information was provided
- The date the consent was given
- Who the consent was given to

(Confirmation of these details will then be sent to the individual within 28 days).

The Little Sisters of the Poor will rely on legitimate interests to mail donors who have donated in the previous two year period, residents and family members of residents and employees. In this regard, a legitimate interest assessment has been carried out.

Consent WILL NOT be assumed if contact details are held by the Charity but no opt-in consent to use those details has been given and Little Sisters of the Poor will not undertake tele-appending nor data-matching without consent.

The charity accepts that consent should be separate from other terms and conditions and should not generally be a precondition of signing up to a service. To evidence this, the Little Sisters of the Poor keeps clear records to demonstrate consent (specifically who consented, when, how, and what they were told), and gives supporters the right and opportunities to withdraw that consent at any time.

Our charity recognises that consent must be obvious, a positive action and freely given, to give our supporters ongoing choice and control over how we use their data. Indeed, genuine consent puts individuals in control, build trust and engagement, and enhances our reputation.

Our consent requests are prominent, unbundled from other terms and conditions, concise and easy to understand, and user-friendly. They specifically cover the controller's name, the purposes of the processing and the types of processing activity.

The Little Sisters of the Poor opt in materials clearly state:

- The name of our organisation
- Why we need the data
- What we will do with the data given
- Personal data will never be shared or sold to a third party for that party's marketing purposes without explicit consent.
- We will not rent or buy marketing lists from third party agencies.
- Individuals can withdraw consent at any time

Our charity has built regular consent reviews into our business processes to enable us to refresh consent as appropriate.

We will re-seek consent to direct marketing for those channels that have not been used to contact us within the last two years. If there is no response to this request, contact details will be suppressed and the supporter / donor will be informed of this.

FAIRNESS AND TRANSPARENCY

Little Sisters of the Poor will be open and transparent about how it collects and processes personal data and details of how personal data will be collected and used are set out in the Fair Processing and Privacy Notice. Details of how to access this information will be given to individuals at the point at which their personal information is collected.

Individuals have the right to opt out of direct marketing at any time and the Privacy and Fair Use Notice makes this clear and tells people how they may opt-out.

Little Sisters of the Poor respects the rights of its supporters to clear, truthful information on the work of the Charity and homes; to openly report how we spend donated and statutory monies and to manage donors' information responsibly. We will comply with the Charity Commission and UK law in every respect, including those regarding openness and honesty with our supporters and members of the public.

The Notice also makes people aware of how to make a complaint to the Charity about direct marketing and to external regulatory agencies (the Fundraising Regulator and the Information Commissioner's Office).

RESEARCHING PROSPECTS PREVIOUSLY UNKNOWN TO THE CHARITY

In line with Charity Commission guidance, any donations from an unknown or unverified source exceeding a financial threshold are expected to have a due diligence assessment completed and be reported to the Commission as a serious incident.

In exceptional circumstances, ex gratia payments (a payment of money, a transfer of property, or the waiver of rights to money/property), are to be made if the Board believe

there is a moral obligation to do so (such as issues arising when gifts are left to the Little Sisters in a will). In addition to Board approval, approval to make ex gratia payments must be authorised by the Charity Commission.

If a due diligence assessment presents an ambiguous situation, this can be escalated to the appropriate Committee for decision. These decisions are not binding, e.g. if a particular request was turned down it does not automatically mean we would not work or engage with them in the future.

PROTECTING VULNERABLE PEOPLE

Under UK Practical Law, a vulnerable person is defined as either a minor or someone who, for physical or mental reasons, is unable to look after themselves or their finances.

The Little Sisters of the Poor charity uses the following guidelines when soliciting donations, to ensure staff and volunteers can exercise best judgement:

- Donations are not to be solicited from people in a vulnerable circumstance or who would be deemed to be unable to make an informed decision in relation to such a request.
- Where donations are volunteered from people who may be deemed vulnerable, that the donor is subsequently able to recite back the staff member / volunteer fundraiser the amount of the donation being given and the name of the organisation they are donating to (in this case, Little Sisters of the Poor).
- Nobody (vulnerable or otherwise) is placed under undue pressure to donate.
- Fundraisers do not persist in asking for a donation where the request has been refused.
- People who ask to be removed from mailing / email / telephone / text marketing lists are suppressed on the Charity's database as soon as possible and in any event, no longer than 28 days from receiving the request.

LEGACY AND IN MEMORIAM GIVING

Increasing numbers of donors chose to support charities through a gift in their will and / or a collection in lieu of flowers at a funeral.

Little Sisters of the Poor promotes these forms of giving primarily through inserts and articles in its newsletter, on their website and social media accounts, and through partnerships with supportive solicitors.

Direct approaches to residents will not be made.

COMPLAINTS ABOUT FUNDRAISING

Complaints procedure

Little Sisters of the Poor will keep a central record of all complaints received about fundraising and will conduct any necessary investigations in relation to such complaints.

We will respond promptly to requests to cease contacts or complaints and act as best we can to address their causes, taking remedial action if necessary and instituting procedures to prevent problems recurring.

If you have any concerns about our fundraising practices, please contact us immediately at;

- **Fundraising Lead**
Email: benwilson@lsplondon.co.uk
- **Data Protection Officer**
Email: dpo@lsplondon.co.uk

The Little Sisters of the Poor charity is registered with the Fundraising Regulator, the independent regulator of charitable fundraising in England, Wales and Northern Ireland.

The Fundraising Regulator works in partnership with other regulators and the representative bodies in the charitable and fundraising sectors, to stand up for best practice in fundraising, to build public confidence, ensure consistent fundraising standards, protect donors and support the vital work of fundraisers across the UK.

The Fundraising Regulator investigate complaints about fundraising where these cannot be resolved by the organisations themselves. Please visit **www.fundraisingregulator.org.uk/more-from-us/resources/complaints-process** for more information on their complaints process.

You can also direct your complaint to the ICO if you are unhappy with how we have used your data;

Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF

Helpline number: 0303 123 1113
ICO website: <https://www.ico.org.uk>

DATABASE MANAGEMENT SYSTEMS

Little Sisters of the Poor have implemented a new database to ensure that consents to direct marketing that are given and withdrawn can be recorded appropriately. No additional in-house databases of supporter's personal information will be developed – this is in order to avoid duplication / contradiction of consent information.

WORKING WITH COMPANIES

Little Sisters of the Poor appreciates the support of local, regional and national companies, and recognises the significant contributions that companies and their staff can make to the Charity's fundraising endeavours.

However, the charity takes a variety of considerations into account when initiating new significant activities and/or partnerships, and ethical screening is particularly relevant at the start of each new relationship.

We abide by the law which requires us, in deciding whether to accept or refuse a donation, to consider which action is in the charity's best overall interest. Decisions taken in these areas will be informed by applying best practice due diligence assessments, to ensure relevant activities meet our charitable objectives as well as our own ethical standards.

As a charity we have a duty not to decline opportunities or funding which will help us achieve our charitable objectives without good reasons for doing so. When making a determination, we will consider the extent to which a potential partner has taken positive steps to mitigate or resolve past issues of concern.

Little Sisters of the Poor will not endorse products, services or companies. Furthermore, we will not undertake business with companies or individuals who participate in activities which could cause detriment to the charity's reputation; which will disproportionately decrease the amount of donations to further the work of the charity.

Companies whose core business is listed below (or where their public profile is associated with these activities), will not be approached as these have the potential to compromise our Fundamental Principles and values:

- Weapons manufacture
- Pornography
- Casinos and betting shops
- Payday lenders
- The manufacture or sale of tobacco and alcohol

ANNUAL REPORTS: FUND-RAISING STANDARDS INFORMATION

The Charities (Protection and Social Investment) Act 2016 places an obligation on charities with an annual income of over £1million to make a statement in their Annual Report and Accounts. This statement must cover:

- The approach taken by the Charity to fundraising activities or by any person on behalf of the Charity for the purpose of fund-raising, and in particular whether a professional fund-raiser or commercial participator carried on any of those activities.
- Whether the Charity or any person acting on behalf of the Charity was subject to an undertaking to be bound by any voluntary scheme for regulating fund-raising, or any voluntary standard of fund-raising, in respect of activities on behalf of the Charity, and, if so, what scheme or standard.
- Any failure to comply with a scheme or standard.
- Whether the Charity monitored activities carried on by any person on behalf of the Charity for the purpose of fundraising, and, if so, how it did so.
- The number of complaints received by the Charity or a person acting on its behalf about activities by the Charity or by a person on behalf of the Charity for the purpose of fund-raising.
- What the Charity has done to protect vulnerable people and other members of the public from behaviour which is:
 - (a) Unreasonable intrusion on a person's privacy;
 - (b) Unreasonably persistent approaches for the purpose of soliciting or otherwise procuring money or other property on behalf of the Charity;
 - (c) Placing undue pressure on a person to give money or other property.

Little Sisters of the Poor will abide fully with these reporting requirements, to demonstrate their commitment to protecting donors and the public, including vulnerable people, from poor fundraising practices.

The Little Sisters of the Poor Board of Trustees is ultimately accountable for the Ethical Fundraising Policy, and is responsible for ensuring the standards within this policy are implemented by embedding them in relevant decision-making procedures and processes in their directorates.

Appropriate screening methods and measures to ensure compliance will be built into the procedures which support implementation of this policy. We recognise that we may need to work with existing partners or suppliers to develop an improvement plan if they do not fully meet the standards laid out in this policy, and welcome the opportunity to do so.

This policy was approved by the Board of Trustees in June 2021. It is next due to be reviewed in June 2022.

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