

Donations and Fundraising Policy

Audience:	Parents REAch2 Staff Local Governing Bodies Cluster Boards Trustees
Ratified:	REAch2 Finance and Resources Committee February 2024
Other related policies:	Information Security Policy Anti-Fraud, Bribery and Corruption Policy Complaints Policy Conflicts of Interest Policy Charging and Remissions Policy Whistleblowing Policy
Policy owner:	Chris Perry, Chief Finance Officer
Review:	Every 3 Years

At REAch2, our actions and our intentions as school leaders are guided by our Touchstones.



Leadership

Finding the leader in all of us.



Inclusion

Realising the greatness in our difference.



Learning

Creating exceptional opportunities for learning.



Enjoyment

Loving what we do.



Inspiration

Feeling the power of the possible.



Integrity

Being courageously true to our purpose.



Responsibility

Unwavering commitment to seeing things through.

<i>Policy Overview</i>	4
Statement of Intent	4
How this relates to national guidance and statutory requirements	4
Roles and Responsibilities	4
<i>Policy In Detail</i>	5
Approval of Fundraising	5
Donors' Rights	5
Soliciting Funds	6
Accepting, Declining or Repaying Funds	6
Funds raised	7
Financial accountability	8
Complaints	8
Separate PTAs	8
<i>Policy Review</i>	9

Policy Overview

Statement of Intent

At REAch2 fundraising is seen as a legitimate means of improving the school's ability to purchase goods, equipment or services, which can be used to achieve the aims of the Trust and its schools. Our fundraising approach is to act fairly, transparently and ethically, and in line with [The Code of Fundraising Practice](#).

Donating money, services, time or equipment, or actively raising funds is a positive way for the public to support the school. This policy should be adhered to by all those involved in soliciting and raising funds on behalf of the school.

Donation means a contribution that voluntarily transferred by one person to another without compensation or benefit flowing from the giver to the receiver. Generally, donations are irrevocable, and, beyond a possible designation of use, the donor does not impose contractual requirements or subsequent reports as a condition of the donation. The term donation in this policy includes sponsorship and gifts.

Fundraising is the active process carried out by the Trust or a school, including making grant application bids.

How this relates to national guidance and statutory requirements

This policy has due regard to all relevant legislation and statutory guidance including, but not limited to, the following:

- General Data Protection Regulation (GDPR)
- Data Protection Act 2018
- Charities Act 2011
- The Charity Governance Code
- The Code of Fundraising Practice
- ESFA Academy Trust Handbook

This policy operates in conjunction with the following school policies:

- Anti-Fraud, Bribery and Corruption Policy
- Complaints Policy
- Conflicts of Interest Policy
- Charging and Remissions Policy
- Information Security Policy

Roles and Responsibilities

The Local Governing Body (LGB) is responsible for:

- Ensuring the correct procedures are in place and are followed for all fundraising activities.
- Confirming that all fundraising activities are approved before they commence.
- Ensuring that all funds raised are accounted for and audited.
- Ensuring money is spent in accordance with agreements made with donors and fundraisers, and is validated properly.
- Ensuring the school's fundraising activities are compliant with the fundraising approach it has set, the wider law and best practice.

- Deciding whether the school will accept, decline or repay donations.
- Acting with reasonable care and skill in the best interests of the school and managing the school's resources responsibly.

The Headteacher is responsible for:

- Approving all fundraising activities, regardless of the potential amount to be raised, ensuring they are relevant to the aims of the school.

The Officer Co-ordinator (OC) is responsible for:

- Monitoring all fundraising activities to ensure they comply with the school's procedures, this policy and the Code of Fundraising Practice.
- Reporting all fundraising approvals and activity to the LGB.

Fundraisers are responsible for:

- Submitting requests for the approval of fundraising activities to the OC.
- Not soliciting any funds until approval has been obtained from the Headteacher.
- Disclosing any actual or apparent conflict of interest when participating in fundraising activities.
- Acting with fairness, honesty, integrity and openness when carrying out fundraising activities.
- Not accepting donations for purposes that are not consistent with the school's objectives.

Policy In Detail

Approval of Fundraising

Fundraising will be recognised if it is consistent with the school's aims.

All fundraising in the school's name that takes place both inside or outside the school must be approved in advance by the Headteacher, regardless of the potential amount to be raised.

Where a member of staff becomes aware that an external body is raising funds on behalf of the school, the Headteacher must be notified so that the fundraising can be reviewed, and hopefully approved so that the school can accept the donation.

Submissions for the approval of fundraising will outline:

- The reasons why the funds are being raised, including any timescales.
- How the funds will be raised
- The costs that the fundraising will incur, and the source of funds.
- Details of any risk assessments that will need to be conducted.
- A timescale for completion.
- Who the person with overall responsibility is.

Donors' Rights

A copy of this policy should be made available to donors and prospective donors on request.

The school will take account of the needs of donors who may be vulnerable or need additional support to make an informed decision about a donation.

If a donor requests to remain anonymous, their privacy will be respected.

Donors must be treated with respect – every effort will be made to honour their requests regarding the frequency of fundraising solicitations and the format these solicitations take.

Donors' personal data obtained for the purpose of fundraising solicitations will be processed, stored and accessed in accordance with the Trust's data policies.

If donors or prospective donors request to opt-out of receiving promotional fundraising materials or from the processing of their personal data, the request will be honoured, and no further communication will take place.

Donors may request the repayment of part or all of their donation. It is for the LGB to decide whether a donation will be repaid (see the Accepting, Declining or Repaying Funds section of this policy).

Soliciting Funds

Publicity and promotional activities will be truthful, provide an accurate description of the activities and intended use of donated funds, and respect the privacy of those who benefit from the activities.

Donors and prospective donors will be provided with an option to opt-out or to withdraw consent for either receiving or being included in promotional materials.

The school's fundraising materials:

- Will not be indecent, offensive or carry intent to cause distress or anxiety.
- Will not contain copyrighted material, watermarks or other intellectual property without the owner's permission.
- Will disclose the school's registered name and full contact information.
- Will not imply that funds are being raised for a specific purpose if this is not the case.
- Will be clear on the purpose of any fundraising.
- Will be legal, honest and truthful and in compliance with the rules outlined in Committee of Advertising Practice Code and Broadcasting Committee of Advertising Practice (BCAP), as appropriate.
- Will not be misleading or inaccurate.

The school will not solicit funds:

- From individuals who have clearly indicated that they do not wish to engage in the activities.
- If it has reasonable grounds for believing an individual is in vulnerable circumstances and is unable to make an informed decision to donate.
- From individuals who have chosen not to receive fundraising contact through the fundraising preference service.
- Through electronic means without explicit consent to do so.
- Via telephone.

Accepting, Declining or Repaying Funds

All donors should be requested to put the details of their gift in writing; the fact it has no conditions attached (where relevant), their estimation of the value of the gift if not in monetary form and when the Trust or school will receive the gift.

The ultimate decision for accepting, declining or repaying funds raised lies with the LGB.

The LGB will act in the best interests of the school when deciding to accept or refuse a donation.

If funds are raised or donated for purposes that are not consistent with the aims of the Trust or the school, the school will decline to accept them.

The school will take the appropriate due diligence steps to confirm the identify of donors and any source of funds, which include:

- Requesting two forms of ID from the donor.

- A letter confirming the source of funds.

For a donor proposing to donate a sum that exceeds £5,000, the school will take the following steps in advance of the donation being accepted:

- Establish whether there are any potential risks to the school's reputation
- Determine what payment arrangements are proposed and whether they raise concerns about the source of funds
- Record the terms of the donation in a formal agreement

Consideration will always be given as to whether any donation is involved with or linked to a suspicious transaction.

Donations will be accepted electronically or via cheque.

The LGB may decline a donation if it believes it:

- Creates a conflict of interest.
- Exposes the Trust or the school to undue adverse publicity or reputational risk.
- Causes other damage, including financial damage e.g. by deterring other donors
- Involves concerns about the legality of the source of funds or the ability to identify the donor.
- Involves a suspicious transaction, e.g. a fee is requested to release the donation.
- Will not contribute to the aims of the school or the Trust.
- Consists of goods, property or services which the school cannot lawfully use.
- May require action that is potentially illegal.
- Is dependent on the fulfilment of unacceptable conditions applied by the donor, e.g. conditions which would place the assets of the school in inappropriate risk.
- Harms the school's relationship with other stakeholders.
- Involves a request which would breach the REAch2 Procurement Policy

Donations will not be accepted if the LGB suspects a prospective donor lacks capacity to make an informed decision about a donation. The school will return any donations by donors who the school believes lacked the capacity to make an informed decision at the time of donating.

If circumstances change and the donor requests the repayment of part or all of a donation, the ultimate decision lies with the LGB.

Donations, once accepted, should not normally be returned unless there is a legal obligation to return it, e.g. the conditions attached to the donation require the return of the donation in certain circumstances.

Donations will only be refunded in line with school policies or in exceptional circumstances. Where it is not lawful to return a donation, the school will take advice from legal advisers before doing so.

Funds raised

All funds raised are given to the OC to be recorded, counted and banked.

All funds raised will be counted by two different people, one of which will be the OC, to ensure accuracy.

Funds raised must be kept in the school safe until they are banked and should be banked at the earliest opportunity.

Fundraisers will not exploit their position for personal gain and must adhere to the school's Anti-Fraud, Bribery and Corruption Policy when taking part in fundraising activities.

All funds will be used for the purpose for which they were raised and within the timeframe that is agreed.

If a fundraising event is cancelled, donors will be informed and asked to agree to a change of use of funds or timescale, or to a repayment of funds.

Financial accountability

All donations will be used to support the objectives of the Trust or the school.

The school will seek to respect any non-binding wishes expressed by the donor as to the use of the donation, providing they are consistent with the Trust and school's objectives.

Donations will be accounted for so that their receipt and subsequent expenditure or transfer to other funds can be readily identified and reported.

Monetary gifts will be recorded at value in the Trust's accounting system.

Physical gifts in kind will be included in the school's accounting system in the accounting period in which they are receivable. Please contact the central finance team for advice on this.

The school may also receive the gift of 'time' or 'expertise' in the form of a service, and in certain circumstances, this may also need to be recorded as a donation – usually when somebody carries out an activity specific to a trade or profession for free. In such an instance, the valuation of the gift must be reasonable in relation to the cost a school would be prepared to have the task carried out commercially. Excluded from this would be volunteers helping out with reading or mowing the grass on school premises; also excluded would be those who assist the school as part of their normal job, like a police or fire officer giving talks to pupils.

All records relating to the valuation of a gift must be retained and reported to the LGB and may be requested by the Trust's auditors.

As a rule, discounts are not acceptable as "gifts" and should not be recorded as income. This is because under accounting standards, discounts are not accounted for as income but as a reduction in expenditure. As the Trust and school is required to obtain value for money, the offer of discounts should be taken into account in making purchasing decisions.

Full records of receipt of business contributions will be retained, as the auditors will require evidence of receipt.

The school's fundraising activities should be reviewed regularly by the LGB.

Complaints

Any concerns regarding the school's fundraising arrangements will be discussed initially with the Headteacher or OC.

All complaints regarding the school's fundraising procedures will be dealt with in line with the Trust and school's Complaints Procedures Policy.

Separate PTAs

The Trust does not recommend that schools have a separate PTA, where the PTA is a separate legal entity. Instead, all fundraising should be done through the school.

Operating a PTA as a separate legal entity requires specialist knowledge, and compliance with relevant regulations, including but not limited to those of the Charity Commission and HM Revenue and Customs.

The Trust cannot advise on these matters and the PTA may incur charges relating to its running.

The separate PTA will also require its own bank account; they may not have access to the school's bank account.

Should a separate PTA be set up on behalf of a school, the Headteacher should be aware of any fundraising being carried out in the school's name and intervene where necessary.

Acceptance of any funds from a separate PTA is subject to the terms of this policy.

Policy Review

The Donations and Fundraising Policy will be reviewed **every 3 years** or sooner, taking into account any legislative changes.

Any changes made to this policy will be communicated to all relevant stakeholders.