

What's happening and why is it important to churches?

The Fundraising Regulator, who oversees charity fundraising standards across England launched a new version of the Fundraising Code of Practice in October 2019. This brings together the old version of the Code and all its associated rulebooks into one, easy to read, document that provides guidance on:

- ≈ Standards that apply to all fundraising
- ≈ Standards that apply to working with others – volunteers, children, commercial partners
- ≈ Standards that apply to the different types of fundraising activity – collections, events, raffles etc.

All PCCs are charities, regardless of whether they need to register with the Charity Commission, and any request that the church makes for giving, from promoting regular giving to holding a fete, is fundraising. So, the Code of Fundraising Practice applies to all churches. In this short guide we have highlighted the values that underpin the Code and some of the key standards that apply to all giving.

A. The Supporting Values of the Code

All the standards in the code are based on four supporting values:

- ≈ **Legal** – all fundraising must meet the requirements of the law
- ≈ **Open** – fundraisers must be open about their processes and willing to explain
- ≈ **Honest** – fundraisers must act with integrity and not be misleading about the cause they are fundraising for or the way in which a donation will be used
- ≈ **Respectful** – fundraisers must demonstrate respect whenever they contact people

B. Key Points for Churches

1. Behaviour when fundraising

As well as defining the four values above, the Code also gives some specific guidance on fundraising behaviour:

- ≈ You must take into account the needs of a giver who may be in vulnerable circumstances or need extra support to make an informed decision. If you suspect that a giver lacks the capacity to make a decision, they should not be asked for a gift. If you discover this lack of capacity at a later point, the gift must be returned.
- ≈ You need to ensure that you allow a giver to make an informed decision, which means not leaving out relevant information or making inaccurate, ambiguous or exaggerated claims. If you make a claim that is likely to be taken literally, you must make sure there is evidence to prove it.
- ≈ When asking for support, you can use reasonable persuasion, but not fundraise in a way that is an unreasonable intrusion on a person's privacy, is unreasonably persistent or places undue pressure. You must not continue to seek support if a person indicates, by word or gesture, that they don't wish to continue.
- ≈ You must not unfairly criticise other people or organisations or encourage a giver to cancel or change an existing gift in favour of supporting a different organisation.

2. Taking Responsibility

PCC Members are effectively Charity Trustees and, as such, they have a duty to take overall responsibility for the giving activity of the Church. That doesn't mean they can't delegate organisational roles or that every last detail needs to be discussed at a PCC Meeting. But it does mean that the PCC:

- ≈ Must be aware of the Code of Fundraising Practice and ensure that those who supervise fundraising on its behalf follow the standards.
- ≈ Must be the body within the church that agrees what types of fundraising activity are used and for what purposes funds are raised.
- ≈ Must ensure that all money raised is received and accounted for by the church, and that funds raised are only used for the purposes for which they were given.

3. Accepting, refusing and returning gifts

Generally, a charity must not refuse or return a gift that was made through an informed choice to support its aims. However, it can take the ethics and values of the giver into account, as long as it can demonstrate that accepting a gift would be detrimental. This could be because equivalent value gifts from other supporters or funders might be lost, or loss of volunteers whose services would be of at least the same value. Decisions to refuse or return a gift must be taken by the PCC, or through a process it has set up, and a record made of each case.

4. Restricted and Unrestricted Use of Funds

Gifts must only be used for the purpose for which they are raised. So it is vital to think carefully about the wording used when the gift is requested – do you want to be able to spend the money on any of the Church's work (these are called 'unrestricted funds'), or are you trying to raise it for a specific purpose (creating 'restricted funds')? Where you are raising restricted funds, you need to think about what will happen to the money raised if the total is too low to take any of the planned action, or if it exceeds the amount needed to achieve the overall stated goal. As long as you tell givers from the outset how their gift will be used in those circumstances, the insufficient or excess funds can be retained.

5. Processing personal information

Most forms of fundraising involve collecting and processing personal information. All the usual regulations on data protection and privacy apply to fundraising, and you can find [more guidance on this on the Parish Resources website](#).

C. More Information

1. You can consult the [full Code of Fundraising Practice](#) on the Fundraising Regulator's website.
2. The Institute of Fundraising also provides additional [guidance material on its website](#).
3. [Treating Donors Fairly](#) for guidance on working with givers who may be vulnerable

This document has been produced by [Action Planning](#) for the National Giving Team of The Church of England.

Church House, Great Smith Street, London, SW1P 3AZ
giving@churchofengland.org

