

# FUNDRAISING POLICY



## 1. Introduction

Mary Ward International Australia (MWIA) has an ambitious and targeted plan of work to effect lasting change by working with local communities to transform unjust structures and reduce poverty and oppression, with a particular focus on formal and non-formal education.

To implement this plan, it requires funds. In raising these funds, the work, impact and vision will be outlined to attract as many donors and supporters as possible.

Raising funds does not drive the work of the MWIA; it drives its ability to work. In raising funds, it allows supporters to take tangible action where the need is greatest.

MWIA is committed to ensuring that it approaches fundraising and donor management in a spirit of transparency and accountability, promoting a high standard of lawful and ethical conduct.

## 2. Purpose of policy

This policy describes the minimum standards and legislative requirements MWIA must meet in its efforts to raise funds, including those set out in the ACFID Fundraising Charter.

It outlines the principles in which MWIA raises funds for development, humanitarian relief and charitable work. Relying almost entirely on the generosity of individuals and foundations, MWIA commits to be transparent, ethical and open in all activities to raise funds.

As a public document, this policy also constitutes MWIA's agreement with its donors, supporters and project beneficiaries and partners in how it will undertake our fundraising activities. All those engaged in fundraising, either through management or participation, should familiarise themselves with this document.

## 3. Policy scope

This policy replaces *MWIA Fundraising and Donations Policy (v1.9, 2017)* and *MWIA Child Sponsorship Policy (v1, 2010)*, which are rescinded from the date of effect of this policy.

It applies to all people engaged under the auspices of MWIA, including members of the Institute of the Blessed Virgin Mary (Loreto sisters), board directors, committee members, employees, volunteers and contractors (collectively hereafter referred to as 'personnel').

This policy also applies to schools and groups fundraising for MWIA but does not apply to Loreto schools and associated schools in Australia fundraising for their own entities.

Nor does it replace or override national or state legislation relating to fundraising and donor management (see Section 7 below).

#### **4. Policy statement**

MWIA accepts funding or support from individuals, trusts, foundations, companies, commercial organisations, non-profit and government entities where there will be a benefit to its work without compromising its mission, independence and credibility. All gifts and offers of support will be screened against a set of guidelines.

This policy is based on three core principles:

- A. Integrity
- B. Accountability
- C. Independence

##### **A. Integrity**

MWIA will employ ethical, legal and best practice fundraising techniques. Fundraising activities will:

- i. Help ensure the sustainability of MWIA's development and humanitarian work.
- ii. Be accurate and truthful.
- iii. Comply with all applicable laws, including those related to privacy.
- iv. Highlight current and planned campaigns and projects.
- v. Have the informed and prior consent of any individual referenced or depicted.
- vi. Support funding principles that provide opportunities for communities over individuals, noting the Loreto Sister policy against child sponsorship as a means of fundraising.
- vii. Prioritise the use of ethical products and services, including the ethical sourcing of materials, products for sale, the use of external agencies / service providers and those that provide their services free of charge (pro bono).

##### **B. Accountability**

- i. Donors will be thanked for their contributions to the work in a timely and appropriate manner. MWIA will inform donors, supporters and the general public about how the funds provided to MWIA are utilised, and the impact that this is having or has had. This includes funds used domestically and internationally for development and charitable initiatives.
- ii. MWIA will transparently report on financial performance in full compliance with all applicable laws and regulations. Those that operationally manage MWIA's fundraising programs will ensure they provide governance bodies and members with sufficient briefing and reporting against agreed plans, strategies and targets.
- iii. MWIA will fully and accurately disclose administration costs and costs of any public fundraising.

## C. Independence

Raising funds does not drive the work of the MWIA; rather, it drives its ability to deliver impactful work. Fundraising activities will not compromise organisational independence or credibility, therefore:

- i. In evaluating potential sources of funding, consideration should be given to the need to avoid becoming dependent on any single source of support that may be withdrawn.
- ii. MWIA will make reasonable attempts to identify any individual or entity that provides financial support and will process their personal data in compliance with applicable law and best practice. Those that have the capacity to make significant financial gifts will be encouraged to do so, subject to appropriate screening or probity checks, noting MWIA does not accept funding from sources that are linked to the violation of human rights as outlined in international and domestic law.
- iii. MWIA encourages all donors to provide their financial support to its general funds. This allows the freedom to use funds where and when they are needed most, including responding to emergency situations or unexpected opportunities to realise positive change.
- iv. From time to time, donors will be invited to invest in particular initiatives, projects and programs. Funds raised in this way must be used for the purpose for which they were provided. If excess funds for such initiatives are collected, the donor may be invited to have their financial gift returned, where this is permissible by law, or they must clearly agree for the gift to be used for another specific project or as part of general activities.
- v. In compliance with any applicable legislation, MWIA will enable donors, members and supporters to choose their communications and any other contacts with MWIA. MWIA will be respectful of the wishes of the donor; however, while being donor responsive, no funding arrangement should alter MWIA's agreed plans and priorities.
- vi. To maintain its independence, MWIA will avoid explicitly endorsing in public any commercial product, service, organisation or business.

## Feedback

MWIA will respond to all enquiries about its fundraising materials and activities, and correct any errors or omissions made. If any donor, supporter or member of the public has feedback on any aspect of the fundraising activities of MWIA, they should contact:

MWIA Executive Officer on phone +61 0448 393 479 or by email at: [mwiaexecutiveofficer@loreto.org.au](mailto:mwiaexecutiveofficer@loreto.org.au)

## 5. Definitions

Term	Definition
<b>Fundraising</b>	The process of gathering voluntary contributions of money or other resources, by requesting donations from individuals, businesses, charitable foundations, or governmental agencies. (ACFID)
<b>Ethical</b>	Being in accordance with the rules or standards for right conduct or practice, pertaining to or dealing with morals or the principles of morality.
<b>Impact</b>	A change to the environment, including people and communities, whether negative or positive, or wholly or partly resulting from a project investment's actions. An investment can have direct and indirect impacts on the environment. Impacts may be cumulative (over time) or combined (more than one impact in one place).
<b>Project partner</b>	Refers to individuals, groups of people or organisations that collaborate with MWIA to achieve mutually agreed objectives and initiatives.

## 6. Responsibilities

MWIA is committed to ensuring that all persons associated with it, and to whom this policy applies, are aware of their obligations under this policy.

The following specific responsibilities exist in the application of this policy:

Role	Responsibility
<b>MWIA Board</b>	<ul style="list-style-type: none"> <li>• Approves and supports this policy.</li> <li>• Oversees implementation and ensures all reporting requirements are fulfilled.</li> <li>• Ensures that appropriate resources are made available to allow the policy to be implemented effectively.</li> </ul>
<b>Executive Officer</b>	<ul style="list-style-type: none"> <li>• Instructs and oversees the implementation of the policy.</li> <li>• Works with key personnel to operationalise the policy and ensures all requirements are followed.</li> <li>• Is responsible for final approval of public use of images and messages.</li> <li>• Notes feedback and opportunities for improvement within the policy and guidelines.</li> <li>• Facilitates a regular review of the policy.</li> </ul>

	<ul style="list-style-type: none"> <li>• Reports compliance with the ACFID Fundraising Charter annually to the MWIA Board.</li> </ul>
<b>Fundraising &amp; Marketing personnel</b>	<ul style="list-style-type: none"> <li>• Must ensure they understand and comply with this policy, the ACFID Fundraising Charter and the Fundraising Institute of Australia's Principles and Standards.</li> <li>• Supervisors are responsible for individual personnel management to ensure the implementation of the policy.</li> <li>• Note feedback and opportunities for improvement within the Fundraising Policy.</li> </ul>
<b>Committee members, contractors, employees, Sisters and volunteers</b>	<ul style="list-style-type: none"> <li>• Are familiar with the content of this Fundraising Policy.</li> </ul>

## 7. Related policies and legislation

### *Internal policies*

- [Loreto Code of Conduct](#)
- [MWIA Privacy Policy](#)
- [MWIA Conflict of Interest Policy](#)
- [MWIA External Complaints Policy](#)
- [MWIA Financial Wrongdoing Policy](#)
- [MWIA Commitment to Human Rights](#)
- [Loreto Child Safe Policy](#)
- [MWIA Commitment to the Protection of Vulnerable Persons](#)
- [Loreto Social Media Policy](#)
- [MWIA Development Policy](#)
- [MWIA Communications Policy/Use of Images](#)

### *External codes*

[ACFID Fundraising Charter](#)

[Fundraising Institute of Australia Code](#)

## **Legislation**

### *NSW*

- Charitable Fundraising Act 1991 (NSW)
- Charitable Fundraising Regulation 2021 (NSW)

### *Victoria*

- Fundraising Act 1998 (Vic)
- Fundraising Regulations 2019 (Vic)

### *South Australia*

- Collections for Charitable Purposes Act 1939 (SA)

### *Queensland*

- Collections Act 1966 (QLD)
- Collections Regulation 2008 (QLD)

### *Tasmania*

- Collections for Charities Act 2001 (Tas)
- Collections for Charities Regulations 2011 (Tas)

### *Western Australia*

- Charitable Collections Act 1946 (WA)
- Charitable Collections Regulations 1947 (WA)
- Street Collections (Regulation) Act 1940 (WA)
- Street Collections Regulations 1999 (WA)
- Gaming and Wagering Commission Act 1987 (WA) (imposes controls on fundraising activities such as raffles, bingo and all forms of gambling)
- Liquor Control Act 1988 (WA) (imposes controls on fundraising events where liquor is to be sold)

### *Australian Capital Territory*

- Charitable Collections Act 2003 (ACT)
- Charitable Collections Regulation 2003 (ACT)

### *Federal*

- *Competition and Consumer Act 2010 (Cth)*
- *Privacy Act 1988 (Cth)*

## **8. Policy governance**

Approved by: Chair, Mary Ward International Australia Board

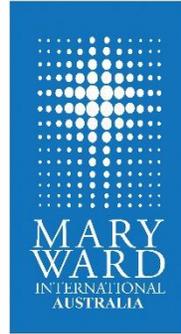
Endorsed by: Chair, MWIA Fundraising and Communications Committee

Support: MWIA Executive Officer

Review: This policy will be reviewed in January 2025 (every three years or earlier if required)

<b>Responsible Person</b>	<b>Date Created</b>	<b>Scheduled Review date</b>
MWIA Board	February 2022	January 2025
<b>Contact</b>	<b>Version</b>	<b>Status</b>
Hannah George (Executive Officer)	2	Approved
<b>Authorisation name</b>	<b>Authorisation signature</b>	<b>Date of authorisation</b>
Dr Leoni Degenhardt AM (Chair)		10 March 2022

# FUNDRAISING GUIDELINES



The following guidelines support the Fundraising Policy and inform how MWIA raises funds for its vital development, humanitarian relief and charitable work. The guidelines cover all staff and others engaged in MWIA's work of raising funds to achieve impact. They represent the minimum standards to which all MWIA representatives must adhere when fundraising.

## **1. Accountability to project beneficiaries and partners**

MWIA places a high priority when raising funds on protecting the dignity and privacy of all its beneficiaries, be they individuals, communities or organisations. The MWIA team is committed to portraying individuals and communities in a way that respects their dignity, values, history, religion, language and culture, with the Executive Officer responsible for final approval of public use of images and messages. Conduct considered a threat to dignity, safety, privacy or other human rights may include:

- 1.1 Commenting unnecessarily or negatively on the impairment, dependency or disability of a beneficiary.
- 1.2 Using language and images that suggest that the beneficiary is to be pitied or feared.
- 1.3 Using children in promotional materials to raise funds for projects and initiatives where adults are the beneficiaries.
- 1.4 Infringing child protection policies, in particular through showing children in a naked and/or sexualised manner.
- 1.5 Stating or implying a falsehood regarding a beneficiary.
- 1.6 Using a beneficiary's image, name or personal information without their permission.

## **2. Accountability to donors**

MWIA commits to:

- 2.1. Process donations quickly, so that gifts are set to work helping to support the full scope of its development and humanitarian relief work.
- 2.2. Thank donors in a timely and appropriate manner for their support.
- 2.3. Keep donors, members and the general public informed about how the funds provided to MWIA are utilised, and the impact that this is having or has had. This includes funds used domestically and internationally.
- 2.4. Provide donors with clear ways to contact MWIA.

- 2.5. Respond honestly and as promptly as possible to donors' questions and complaints.
- 2.6. Respect donors' wishes if they advise that they no longer wish MWIA to contact them.
- 2.7. Collect and hold donor information securely.
- 2.8. Only share donor information with other organisations if the donor has given permission to do so.
- 2.9. Use donations wisely and responsibly in accordance with its objectives.
- 2.10. Strive to be as cost-effective as possible to achieve the highest impact for its work.
- 2.11. Be transparent in its reporting on its financial performance in full compliance with all applicable laws and regulations.

### **3. Data protection and privacy**

MWIA complies with all state and federal law requirements relating to processing all supporter and donor personal information in the context of fundraising activities. In addition to legislative requirements, MWIA must:

- 3.1. Publish on its website its Privacy Policy, which covers how personal data is stored and processed.
- 3.2. Ensure all external providers or suppliers that process personal data on its behalf comply with all applicable data protection requirements and these minimum standards.
- 3.3. Communicate clearly to anyone whose data is collected all proposed uses and origins of that data.
- 3.4. Limit use of supporter/donor data to that which was originally notified/consented at the time of data collection; if MWIA wishes to use the data for a different purpose, additional consent must be obtained.
- 3.5. Include easy options for supporters/donors to update their communications preferences including to opt out or unsubscribe from marketing/ fundraising communications and any other appropriate materials.
- 3.6. Regularly review and update data lists to reflect the latest supporter/donor preferences and ensure accuracy.
- 3.7. Obtain compliant permission for fundraising/ marketing communications to supporter/donors by phone calls, mail, email or text.
- 3.8. Not hold personal data for any longer than necessary and in accordance with local data protection legislation or regulation.
- 3.9. Provide a secure environment for the collection, retention and transfer of personal data to protect against accidental loss, destruction, alteration or disclosure. For example: when transferring data across public networks, personal data must be encrypted before it is transferred, and transfer must only occur if the integrity and confidentiality of the data can be assured. MWIA protects electronic files containing supporter data by password.
- 3.10. Ensure that any external data providers have adequate and compliant security procedures in place.

- 3.11. Ensure that any donor payment processing is conducted in compliance with industry standards.
- 3.12. Ensure that individuals can easily request and obtain their personal data held by MWIA.
- 3.13. Operate enhanced processes for information obtained that may be of a sensitive nature.

#### **4. Types of gifts**

MWIA accepts the following gifts:

- Cash or equivalent (including grants)
- Tangible personal property\*
- Bequests/legacies
- Shares or securities\*\*
- Real estate (property and land)
- Other gifts (including pro bono gifts)\*\*\*

There are no restrictions on the gift (shares, tangible property etc.) that would prevent MWIA from ultimately converting those assets to cash, with these caveats:

- The gift (specifically shares) is marketable or likely to become marketable in due course (without imposing any undue costs, administrative or other burdens in the interim).
- The gift will not generate any undesirable tax consequences for MWIA.
- The item's financial value, its potential use by MWIA, and any associated risks or costs to MWIA.
- If the item will not be used or kept, whether the item could be sold quickly and converted into cash.

\*Tangible personal property includes art, furniture, books, memorabilia, coin and stamp collections, jewellery, vehicles and any other personal property item owned by a donor. Such gifts must be reviewed prior to acceptance.

\*\* Normally the shares will be immediately sold by MWIA. If it is intended that the shares are to be retained by MWIA for a period of more than six months, the decision to further retain or sell such shares or securities will be made and regularly reviewed by the MWIA Board in accordance with section 7 (Accepting and rejecting donations) below.

\*\*\* Pro bono gifts could include provision of consultancy services, free office space or conference facilities.

#### **5. Anonymous gifts**

- 5.1. MWIA can choose to accept donations where there is no information as to its origin or the donor is anonymous. MWIA will enact a due diligence process to confirm that the donation is not linked to money laundering or illegal / terrorist activity and ensure MWIA is not potentially compromised from that perspective. The decision to accept or refuse the contribution will need to also be informed by carrying out as detailed a screening of the donor as is possible and the decision will sit with the MWIA Board.

- 5.2. If a donor makes themselves known to MWIA but wishes their gift to remain anonymous in any published material (this may be the case for some major donors for example), MWIA should honour these wishes.
- 5.3. MWIA may be required to report unusually high anonymous donations to relevant regulatory or anti-corruption organisations.

## **6. Restricted funds**

### *6.1. Definitions*

The feature that separates restricted ('tied') funding from unrestricted funding is that a third party (usually the donor) determines which activities the gift will be spent on. The degree of this third party's influence could vary from a vague indication to a very detailed description.

Restricted funding could take various forms from co-financing to financing a defined project or defined activities. In general, restricted funds tend to be generated from government sources, trusts and foundations, corporations and major donors.

All restricted funds must be accepted in relation to activities contained in MWIA's existing Strategic Plan or with prior approval by the Executive Officer.

### *6.2. The benefit of accepting restricted funds*

Restricted funds:

- Enable MWIA to rapidly and significantly grow program expenditure with comparatively lower levels of investment.
- Can help improve levels of accountability and reporting as restricted income grants usually come with strict reporting criteria.
- Can often be allocated to projects or activities that may be of less interest to other donors.

### *6.3 The risk in accepting restricted funds*

There is recognition that restrictions on earmarked fundraising could impact MWIA's ability to attract funds from different supporter market segments.

It is believed that the acceptance of restricted funds exposes MWIA to three key risks:

- MWIA could lose its unbiased independence and, related to this, impact its core mission and image as perceived by supporters. Under all circumstances, MWIA should be able to account for the acceptance of restricted funds and demonstrate a variety of different project needs and independent activities and programs.
- Distortion of program priorities. Large, restricted contributions could make MWIA's work on development issues that were not originally intended.
- A project budget risk whereby some projects are underfunded, and other projects have excessive funds raised – more than can be utilised.

#### 6.4 *Over-dependency*

- MWIA should not become over-dependent on a particular source of restricted income (specifically a corporate, trust/foundation or government) for funding. In this instance, over-dependency is defined as the inability to continue working on its core mission if that single donor decides to stop supporting MWIA.
- MWIA's objective is to ensure that funding is obtained from a variety of supporter market segments. Therefore, it must avoid as much as feasible a significant portion of total income being obtained from a singular corporate, trust/foundation or government source.
- In some cases, governments, intergovernmental organisations, state industries or corporations control funding decisions of trusts/foundations. The guidelines that apply to governments and corporations should apply to these trusts/foundations.

#### 6.5 *Accommodating donor wishes*

- MWIA should ensure that materials do not imply money is for a restricted purpose (such as helping a particular person) when it may be used for different purposes or for general funds.
- As with many NGOs, MWIA's preference is that money donated goes into a general pool of funds. This allows MWIA to work quickly, wherever the need is greatest, or where there is an immediate need for funding.
- MWIA does not usually restrict gifts arising from regular donations or lower value one-off donations, although occasional exceptions may be made with Executive Officer approval.
- Occasionally, donors may wish to fund a specific project or activity. If a donor specifies a restriction on where the money can be spent, where logistically possible and if cost-effective to do so, MWIA will accommodate the request in line with these guidelines.
- There may be times when MWIA is unable to restrict a donation to a particular project or activity; in those cases, the donor will be advised of MWIA's inability to fulfil their request and a discussion on how the donor would like to proceed will be held.

### **7. Accepting and rejecting donations**

#### 7.1 *Overall accountability*

- It is important to note that accountability for all decisions, even where decision-making has been delegated to staff or volunteers, rests with the MWIA Board, who are the trustees for the MWIA trust funds. The trustees (or their delegates) must take all decisions relating to the acceptance/refusal of donations in the best interests of MWIA.
- The trustees (or their delegates) must be able to demonstrate that they have acted in the best interests of MWIA, irrespective of any individual or collective personal interest or predilection, in each and every case.
- The trustees (or their delegates) have a duty to consider carefully, on the basis of the evidence available to them, whether accepting or refusing the donation will better serve MWIA's interests

and to act accordingly.

- In making these judgements, trustees (or their delegates) must not allow individual or collective personal, political commercial interests or personal views on political or ethical issues, which are not directly related to the interests of MWIA, affect their judgement.
- Consequently, where trustees decide to delegate their responsibility to staff, they must ensure that clear areas of responsibility are established within agreed management structures. As with general expenditure, where staff have the authority to sign cheques on behalf of MWIA without the clearance of the trustees, so this practice can be extended to the acceptance of donations. Larger donations, and those seen as potentially contentious, should be referred to the Executive Officer.
- Many organisations approach acceptance or rejection of a donation on the basis that acceptance of the gift would be contrary to the organisation's ethics and values. Ethics and values are important in reaching the decision to accept or reject a donation, as are other factors - factors such as provenance, restriction etc. must be considered.

## 7.2 *Acceptance of donations*

- When considering whether to accept or reject a gift, MWIA must be able to assess if the donation would cause more, or less, detriment than potential benefit. Accepting or refusing gifts must be consistent with Australian laws that inform MWIA's fundraising activities.
- It is common for organisations to engage a donor by offering them benefits related to the size and frequency of the gift – particularly high value and major donors. MWIA should ensure that the benefits are appropriate for the organization to be giving and proportionate to the size of the gift. Benefits could include bespoke reports, invitations to events, project visits etc.
- While acknowledging their valuable contribution, MWIA does not offer donors naming rights of facilities, entities and activities in recognition of significant philanthropic support.

## 7.3 *Refusal of donations*

MWIA has the right to accept or refuse a donation. However, it must refuse a donation if:

- The gift does not conform to its Fundraising Policy and these Guidelines.
- It would be unlawful to accept it.
- Accepting the donation would be detrimental to the achievement of the purposes of MWIA as detailed in its Constitution. Subject to a risk assessment, this may include:
  - The gift comes with restrictions that may potentially skew MWIA's core charitable purpose.
  - The donor's reputation or behaviour could potentially damage MWIA's credibility or work.
  - A due diligence screening check indicates that the donation conflicts with MWIA's values or goals.
  - Existing and future relationships with the Loreto Sisters, partners, members, donors and other supporters could be damaged over the long-term.
  - MWIA inadvertently supporting industries, institutions and systems that enslave or inhibit

vulnerable people, communities and countries. Subject to risk assessment, this may include:

- a) Tobacco companies.
  - b) Companies whose main business is the manufacture or sale of weapons or other implements of repression.
  - c) Companies or trusts that are directly involved with gambling.
  - d) Companies that make and are directly associated with pornographic products such as magazines, books and films. (This does not preclude relationships with cinemas or book shops which may stock these items.)
  - e) Companies that charge excessively high interest payments (i.e., at rates significantly above the market average).
  - f) Companies that are known to cause serious environmental damage and degradation through the course of their work.
  - g) Companies that use unethical marketing techniques to sell their products.
  - h) Companies that do not respect basic workers' rights as expressed in the conventions of the International Labour Organisation (i.e., which tolerate the existence of exploitative pay, inadequate working conditions, excessive working hours, etc.).
  - i) Companies that profit from the use of child or bonded labour.
  - j) Companies that practice sexual or racial discrimination or abuse indigenous land rights.
- Where an offer of support is itself dependent upon MWIA first spending its own money or resources in order to facilitate the execution of the original offer of support, great care should be taken by the trustees who may be placing charitable assets under undue and inappropriate risk.
  - Practical considerations may mean that an otherwise acceptable donation is refused. An example of such a case is where support is offered to purchase capital assets (building or land) but MWIA, whilst in need of the capital asset, has no resources with which to maintain the running costs associated with it. While the policy applies to all donations, a decision to refuse a donation will be made on a by-exception basis.
  - MWIA will ensure any refusal of donations is communicated in an appropriate manner.
  - If MWIA accepts a gift and decides to return it following new information emerging about the donor (i.e.: The President's Club scandal in the UK), it will have to do so in full compliance with local charity regulations and legislation. In some instances, this may mean MWIA having to retain the gift because it is unable to return it.