

## **Action For Kids Charitable Trust Donation Acceptance & Partnerships Policy**

### **Introduction**

Action For Kids Charitable Trust (the “Charity”) welcomes and relies upon donations and corporate partnerships to help deliver the Charity’s strategic aims and objectives, in particular through the use of such funds and partnerships to provide education, training, employment support and mobility equipment for disabled young people.

This policy covers the solicitation and acceptance of gifts by, or in the name of, the Charity. It seeks to ensure that gifts to the Charity are properly received and administered and that the Charity’s acceptance and management of gifts are in compliance with external regulations and the Charity’s fiduciary obligations to donors. The policy also covers partnerships with individuals and organisations which propose to offer support, whether paid or unpaid, to the Charity or its beneficiaries.

For the purposes of this policy, charitable donations and gifts include, but is not limited to, cash, cheques or transfers; property; shares or bonds; tangible personal property (gifts-in-kind); legacy gifts; corporate sponsorship and charitable foundation gifts.

### **Principles**

The Charity subscribes to seven principles to underpin the acceptance of gifts and partnerships. The seven principles are set out below, with additional text explaining how the principle applies in practice.

**Principle 1: The Charity should seek philanthropic support which is aligned with its values, strategic goals and financial needs, as a legitimate, sustained and vital component of its income.**

The Charity will not accept gifts or enter into partnerships that:

- Undermine the Charity’s vision and values;
- Do not help fulfil the Charity’s strategic Mission;
- Compromise its status as an independent institution;
- Create conflicts of interest which are not fully transparent and managed appropriately;
- Potentially harm the Charity’s relationships with other donors or stakeholders or inhibit unreasonably, the Charity’s ability to seek support from other donors;
- Expose the Charity to undue adverse publicity or reputational risk;
- Limit freedom of inquiry, suppress and/or falsify research or otherwise restrict the distribution of information relevant to the Charity’s beneficiaries and stakeholders;
- Require unacceptable expenditure of additional Charity resources or cost the Charity more than the benefit it derives from it.

Gifts and partnerships will be tested against the Charity's current Strategy, copies of which will be made available to donors on request.

This policy will be published on the Charity's web site, accessible to all users.

**Principle 2: The Charity must observe the requirements of charity law and other relevant legislation in relation to the receipt and expenditure of funds. Ultimate responsibility regarding the acceptance and refusal of donations and the entering into of partnerships rests with the Trustees of the Charity.**

Action For Kids Charitable Trust is a registered charity and will at all times observe the requirements of charity law and other relevant legislation. The Trustees delegate to the Chief Executive responsibility for accepting donations or proposed partnerships, except where a donation or partnership may give rise to significant issues for the Charity. Authority to refuse a donation is retained by the Trustees.

**Principle 3: Discussions with potential donors or partners that are likely to give rise to significant public interest, or which raise complex questions with regard to acceptability, should be considered at the earliest stage possible by the Chief Executive, who should be fully informed of the purpose and the background to the donation or partnership and the source of funds.**

The Chief Executive, in consultation with the Chair of Trustees (or in their absence, the Vice Chair), will determine (subject to Principle 2) whether the approval of the Trustees should be sought with regard to a specific donation or partnership.

**Principle 4: The Charity should take all reasonable steps to ensure that it is aware of the source of funding for significant gifts and have processes in place to satisfy it that the funds do not derive from activity that was or is illegal or runs counter to the core values of the Charity.**

The Charity will take reasonable steps to determine the ultimate source of funding for each significant gift and satisfy itself that the funds do not derive, directly or indirectly, from activity that was or is illegal or which runs counter to the provisions of this policy.

**Principle 5: The legal and reputational rights of potential donors and partners should also be considered as part of any due diligence undertaken in assessing the acceptability of a proposed donation or partnership. In this regard, a clear distinction should be drawn between rumour or speculation and matters of confirmed fact or legal finding, whilst also accepting that the Charity may wish to consider the reputational risks that could be incurred through public perception of any particular donor or partner.**

This principle will be applied as part of the consideration of acceptance of a gift or partnership within this policy.

**Principle 6: Donors of major gifts, given for restricted purposes, must sign appropriate gift agreements to confirm the management and governance of programmes funded through donations. Complex partnerships involving a significant level of activity by the partner and/or the Charity must also be subject to an appropriate agreement.**

Donations of £25,000 and over, given for restricted purposes, must be accompanied by an agreement laying out the relevant terms and responsibilities for the donor and the Charity. The decision as to whether an agreement is required with a partner will rest with the Chief Executive.

**Principle 7: The Charity should have procedures in place for reviewing and reconsidering previous decisions taken in good faith relating to the acceptance of particular gifts or partnerships if subsequent events or the subsequent availability of additional information require it. The response to such circumstances should be transparent and proportionate to the particular circumstances that have arisen.**

In the event that the Charity is unable to put a gift to the use originally intended by the donor, the Director of Fundraising will recommend a course of action for approval by the Trustees.

**Approved by the Board of Trustees  
October 2017**