

FUNDRAISING POLICY

Approved by Board: December 2018



BACKGROUND

The Board of the Lord Mayor's Charitable Foundation (the Foundation) recognises that the Foundation engages in fundraising activities and business development in order to grow contributions to the Foundation and the Fund (section 6(2)(b) of the Lord Mayor's Charitable Foundation Act 2017). In order to comply with legislation as well as applicable ethical standards regarding fundraising activity, the Board has established this fundraising policy.

The Lord Mayor's Charitable Foundation Fundraising Policy reflects the Foundation's values of being:

- Accountable
- Brave
- Collaborative
- Creative
- Ethical
- Relevant
- Respectful

SCOPE

This Policy governs Foundation fundraising. This includes all activities undertaken by or on behalf of the Foundation with the aim of seeking or receiving donations of money or property to the Foundation and to the Fund.

POLICY

Lord Mayor's Charitable Foundation will apply the following approach to its fundraising activities:

1. Fundraising undertaken by the Foundation itself

All fundraising activity undertaken by the Foundation is directed by the Chief Executive Officer and coordinated by the Chief Marketing & Development Officer. Within the Business Plan, the Board will review the fundraising activity by the Foundation on an annual basis.

2. Fundraising by third parties on behalf of the Foundation

- a) A third party may only fundraise for the benefit of the Foundation or on the Foundation's behalf where the proposed fundraising activity is approved by the Foundation

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- b) A proposed fundraising activity conducted by an individual, fund-holder or organisation on a volunteer basis (a Community Fundraiser) may be approved by the Foundation as contained in the Foundation's Fundraising Guidelines as summarized below in the following way:
 - the Community Fundraiser submits a written fundraising proposal;
 - the Foundation determines that the fundraising proposal meets the requirements set out in section 3 below, and
 - the Foundation issues an Authority to Fundraise notice signed by the Chief Executive Officer.
- c) In circumstances where there is a current fundraising appeal or activity that has received approval by the CEO, the Foundation may apply its discretion in determining whether a further written fundraising proposal is required for a repeat of the same activity.
- d) Fundraising activities by commercial fundraisers must be approved by a written agreement signed by the Chief Executive Officer and must not include commission-based payment models. Commercial fundraisers must be registered with Consumer Affairs Victoria.

3. Requirements for approval of fundraising activities by Community Fundraisers

In determining whether to approve a proposed fundraising activity conducted by a Community Fundraiser, the Foundation should consider whether the proposed activity meets the requirements in the following table. Where a requirement is not met, the proposal should be rejected or further information sought.

Requirement	Comment / response
1. The method for raising the funds appears sound. <ul style="list-style-type: none">• <i>Do you have doubts that the activity will raise the funds as expected?</i>	

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2. The activity does not raise unreasonable reputational issues.

- *Does the activity involve or promote illegal or unethical behaviour? Does it promote tobacco, gaming, armaments or excessive drinking?*
- *Are any sponsors or partners named the types of organisations that the Foundation's brand should not be associated with?*

Seek CEO advice in relation to reputational issues.

3. The activity organiser intends to obtain a fundraising or gaming licence OR a fundraising or gaming licence is probably not required.

- *Will the activity will raise more than \$10,000? If so, a fundraising licence will probably be required.*
- *Are raffle prizes valued at more than \$5,000? If so, a gaming licence will probably be required.*

Draw fundraiser's attention to 'Legal Matters' section of Fundraising Activity Kit.

4. The activity expenses are not unreasonable.

- *Are the expenses more than 30% of the total amount expected to be raised? (Note: Please see CAV's conditions on fundraising below).*
- *Do any of the expenses seem unreasonable?*

Recommend that fundraiser revise budget and resubmit proposal.

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| <p>5. The activity presents only low risks.</p> <ul style="list-style-type: none">• <i>Does the activity description or location suggest safety risks? Has the organiser indicated ways to address these?</i>• <i>Is the event for a large number of people?</i>• <i>Does the fundraiser intend to obtain insurance?</i>• <i>Does the activity principally use credit card payments for donations or event registrations?</i> | <p>Recommend that fundraiser obtain insurance or take safety precautions and then resubmit proposal.</p> <p>If Lord Mayor's Charitable Foundation is involved in the event, discuss with CEO whether the Foundation could extend insurance coverage.</p> |
| <p>6. The fundraiser has confirmed the matters mentioned at the bottom of the Fundraising Proposal Form.</p> | <p>Subject to the CEO's discretion, approve proposal</p> |

4. Ethical Practice

- a) All fundraising materials and other communications to donors and the public will clearly identify the Lord Mayor's Charitable Foundation and be accurate and truthful.
- b) The Chief Executive Officer, Donor Development Manager and/or Legal & Governance Officer (as delegated by the CEO) will review fundraising materials prior to publication:
 - for material omissions or exaggerations of fact, use of misleading photographs, or any other communication which could create a false impression or misunderstanding; and
 - for any statements or content that could create unrealistic donor expectations of the what donor's gift will actually accomplish, and
 - to ensure materials are accurate and easy to understand.
- c) The Foundation reserves the right to refuse donations that are in conflict with the Foundation's Act, principles or brand or the Foundation's commitment to ethical fundraising practice.

5. Receipting

The Foundation will provide all donors with specific acknowledgments of charitable contributions, where applicable, in accordance with legal and taxation requirements for proper donor substantiation together with our compliance and disclosure as a

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charitable Foundation. Donations to Charitable Fund Accounts (subfunds within the Lord Mayor's Charitable Fund) are made with the intention that funds are invested to ensure ongoing support for beneficiaries from the investment earnings. Donations to Charitable Fund Accounts will be receipted by the Foundation in the same way as other donations. Flow through donations (donation income and grant expenditure in the same financial year) will only be accepted from approved fundraising activities (see clause 3), Foundation appeals, Foundation approved Giving Circles or Giving Accounts where the donor also holds a Charitable Fund Account holding at least \$100,000.

6. Professional Standards

The Foundation will manage its relationships with its supporters and prospective supporters in a coherent and collaborative fashion. Each donor will have a lead "account manager" from the Marketing and Development or Operations team to ensure consistent communication.

Each donor's philanthropic wishes will be respected, however the Foundation will encourage donors to benefit from the Foundation's grantmaking experience, knowledge of community needs and opportunities for collaborative grantmaking.

- a) The Foundation will seek to provide appropriate advice and supervision of the people involved in fundraising activities on its behalf, whether employees or volunteers or Charitable Fund Account Holders who seek to raise funds publicly or through networks to benefit charities they support). In the case of third-party representatives, all reasonable efforts will be taken to brief the representative on the ethical practice standards required by the Foundation, as outlined in this policy. The proceeds from fundraising activity can be attributed to the balance of a specific sub-fund. However, the trustee is ultimately responsible even if donors (fund holders) associated with a specific sub-fund are fundraising for the PuAF under the PuAF's licence. Prior written approval of all fundraising activity by the Foundation CEO is required. All Foundation third party related fundraising (volunteers) must read and accept the Foundation's fundraising terms and conditions which are included in this policy (Fundraising Policy) & Foundation Fundraising Guidelines.
- b) The Foundation will adopt a portfolio management approach to our work with donors. We will ask for donations (including major gifts and bequests) in a planned and co-ordinated way, to maximise potential success and to discourage inappropriate, ill-considered, or multiple approaches to potential donors. The Foundation will avoid accepting a gift from or entering into a contract with a prospective donor which would knowingly place a hardship on the donor, or place the donor's future well-being in jeopardy.

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Staff of the Foundation will not provide personal gifts or any item which may be mistaken or misconstrued to constitute an inducement for a donation or other financial/philanthropic commitment.

7. Compensation

The Foundation will pay commercial fundraisers at market rates compensation for their services and no commission or a percentage of the amount raised will be paid in relation to fundraising activities.

8. Donor Privacy

The Foundation will maintain records of its interactions for fundraising purposes with individuals, corporations, foundations and associations. The Foundation respects the privacy of its donors and maintains compliance with the Privacy Act 1988.

- a) We will not sell or otherwise make available the names and contact information of our donors, except where disclosure is required by law.
- b) We will not send mailings on behalf of other organisations, unless a partnership arrangement exists and the Chief Executive Officer has approved the mailing.
- c) We will provide a clear, prominent and easily accessible privacy policy on our website that tells visitors:
 - What information, if any, is being collected about them and how this information will be used;
 - How to access personal information collected and request correction;
 - How to inform us that the visitor does not wish his/her personal information to be shared outside the Foundation; and
 - What security measures we have in place to protect personal information; and
 - Where data is stored.

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9. Compliance

In addition to any other requirements of this policy, all fundraising activities conducted within Victoria must be conducted in accordance with the Fundraising Act (Vic) 1998 and other relevant policies and legislation including:

- Lord Mayor's Charitable Foundation Act 2017 (Vic)
- Consumer Affairs Victoria's [Conditions on Fundraising](#) & [Fundraising Registration Guidelines](#) (Victorian Government Gazette, no. S 248, 16 July 2009)
- Australian Consumer Law: See ACCC's 2017 Publication: [A guide to the Australian Consumer Law for fundraising and other activities of charities, not for profits and fundraisers \(Dec 2017\)](#)
- Australian Charities and Not for Profits Commission Act 2012 (Cth) & ACNC Governance Standards
- Public Ancillary Fund Guidelines 2011 (as amended) (PuAF's must invite the public to donate to the Fund)
- Victorian Commission for Gambling and Liquor Regulation (raffles): Gambling Regulations Act 2003 (Vic) and Gambling Regulations 2015 (Vic) (NB: R. 84 of the Gambling Regulations 2015 set out the conditions for raffles where a raffle permit is not required).
- [Fundraising Institute of Australia Code \(1 June 2018\)](#)
- ACNC Guidance Note [Fundraising: Charities and People in vulnerable circumstances \(2016\)](#)
- [Australian Taxation Office Guidance on Is it a Gift or a Contribution?](#)
- [ATO Taxation Ruling TR 2005/13 Income Tax: tax deductible gifts what is a gift](#)
- LMCF Ethical Investment Policy
- LMCF Cash Management Policy
- LMCF Procurement Policy
- Privacy Act 1988 (Cth) and the Australian Privacy Principles: Consent and Data Collection & Privacy Best Practices Relating to Collection of information (APP 3.6)
- Lord Mayor's Charitable Foundation Privacy Policy & Collection Notices

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SCHEDULE:

LMCF Fundraising Guidelines

LMCF Fundraising Undertaking (2018)

LMCF Gift Acceptance Policy

LMCF Privacy Policy

[Consumer Affairs Victoria: Conditions on Fundraising Registration](#)

Document History

Written:	June 2013
Reviewed:	September 2015, May 2016, November 2017, November 2018
Approved by Board:	December 2017, December 2018