

Our Chartist Heritage

Policy on Accepting Grants, Donations and Gifts

Introduction

Charity trustees must act reasonably and prudently in the interests of their charity in pursuing the charity's purposes, as set out in its constitution. Trustees, when deciding whether or not to accept a donation, must only refuse, if to accept it would be more detrimental to the charity than rejecting it. This should involve a careful analysis of the extent to which the charity is likely to be harmed by accepting a donation and balancing that against the benefit to be obtained

Therefore, Our Chartist Heritage (OCH) should seek philanthropic support which is aligned with our values, strategic goals and financial needs, as a legitimate, sustained and vital component of income. Trustees have to decide these matters on a case-by-case basis and any policy is there to guide them and their employees in decision-making. Charity trustees usually have a power of delegation and may delegate decisions on refusal of donations to committees or to employees and members who should also be alive to the reputational risks inherent in decisions to accept or reject and establish the terms of any delegation accordingly. OCH trustees should take all reasonable steps to ensure that they are aware of the source of funding for each gift and have processes in place to satisfy themselves that the funds do not derive from activity that was or is illegal, or runs counter to our core values.

Our Chartist Heritage welcomes and relies upon donations to help underpin OCH's strategic aims and objectives.

Purpose of the policy

This policy covers the solicitation and acceptance of gifts by or in the name of Our Chartist Heritage. It seeks to ensure that gifts to OCH are properly received, recorded and administered using appropriate internal controls and that Our Chartist Heritage's acceptance and management of gifts are in compliance with external regulations and Our Chartist Heritage's fiduciary obligations to donors.

Commitments

- OCH will not accept gifts that:
 - Compromise its status as an independent organisation
 - Do not help fulfil the organisation's strategic aims
 - Limit freedom of inquiry
 - Expose the organisation to undue adverse publicity or reputational risk
 - Require unacceptable expenditure of additional resources
 - Create conflicts of interest which are not fully transparent and managed appropriately
 - Potentially harm relationships with other donors or stakeholders or inhibit unreasonably, the organisation's ability to seek support from other donors

- Undermine the organisation's vision and values
- Cost the organisation more than the benefit it derives from them
- Our Chartist Heritage will at all times observe the requirements of charity law and other relevant legislation. Responsibility for the acceptance and refusal of gifts rests with the trustees of OCH, nevertheless this power may be delegated to others who will ensure that everyone accepting gifts understands and implements this policy.
- OCH will not accept gifts from unknown sources of funding.
- OCH will take reasonable steps to determine the ultimate source of funding for each 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. Where necessary, it will look beyond charitable trusts and foundations in order to satisfy itself about their ultimate source of funding. The test of compliance with this policy will be taken prior to solicitation wherever possible, rather than at the point of acceptance.

Good practice

- Discussions with potential donors 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 appropriate decision makers who should be fully informed of the purpose and the background to the donation and the source of funds.
- The legal and reputational rights of potential donors should also be considered as part of any due diligence undertaken in assessing the acceptability of a proposed donation. OCH will consider the reputational risks that could be incurred through public perception of any particular donor.
- Donors must accept and, for significant gifts sign, appropriate gift agreements to confirm that the management and governance of programmes funded through benefaction rest solely with OCH
- OCH will review and consider previous decisions taken in good faith relating to the acceptance of particular gifts, if subsequent events or the subsequent availability of additional information require it.
- OCH will normally publish the names of the donors in the Annual Report at the AGM. Where a donor wishes to remain anonymous, every effort will be made to respect that wish, within the limits of the law.
- Gifts received will be recorded. Such information should include:
 - Donor's name and address
 - Gift description, including restrictions on use of the gift
 - Gift date
 - Exact value of the gift, if known, or approximate value if a gift-in-kind
 - A brief outline of how the gift was solicited and details of all parties involved

This policy has been written in the light of the Charity Commission's current guidance on grant giving. It will be reviewed annually at OCH's AGM and revised in accordance with any revisions to the guidance provided by the Commission.

Policy reviewed and approved 25 April 2023

NOTES

In considering whether to accept gifts, trustees will consider the following questions which are not intended to be asked in respect of each donor. However, trustees may need to consider them depending on the risk, including the size and nature of the donation, and whether it appears to have any suspicious characteristics.

- General information
 - Who are the donors?
 - What is known about them?
 - Does the charity have a well established relationship with them?
- Do any additional identity checks need to be made? Full use should be made of internet websites, particularly to check whether a donor organisation is registered with another regulator. Registration may provide access to the organisation's accounts and governing document
- Are the donors UK taxpayers, and can Gift Aid be claimed?
- In what form is the money being received? Cash, cheque, bank transfer?
- Have any public concerns been raised about the donors or their activities? If so, what was the nature of the concerns and how long ago were they raised? Did the police or a regulator investigate the concerns? What was the outcome?
- Would any adverse publicity about the donor have a damaging effect on the charity?

The nature of the donation and any conditions

- How big is the donation?
 - Is it a single donation, or one of a number of regular donations, or the first of multiple future donations?
 - Is the donation one of a series of interest-free loans from sources that cannot be identified or checked by the charity?
 - Are there unusual or substantial one-off donations?
- Does the donation come with any conditions attached? What are they? Are they reasonable?
 - Is there a condition that funds are only to be retained by the charity for a period and then returned to the donor, with the charity retaining the interest?
 - Is the donation conditional on particular organisations or individuals being used to apply the funds?
 - Is the donation conditional on being applied to benefit particular individuals either directly or indirectly?
- Is there a suggestion that the charity is being used as a conduit for funds to a third party?

- Is the donation in sterling or another currency, perhaps with a requirement that the donation be returned in a different currency?
- Are any of the donors based, or does the money originate, outside the UK? If so, from which country?
 - Does this country/area pose any specific risks?
- Are donations received from unknown bodies or international sources where financial regulation or the legal framework is not rigorous?
 - Is the donation received from a known donor but through an unknown party or an unusual payment mechanism where this would not be a typical method of payment?
- Is anything else unusual or strange about the donation?

IF THE RESULTS OF THIS REVIEW GIVE RISE TO SUSPICIONS, TRUSTEES WILL

- report the matter to the police and/or other appropriate authorities if due diligence checks reveal evidence of crime. In the case of money laundering, reports can be made to the police, a customs officer (HMRC), or an officer of the National Crime Agency if there is reasonable cause to suspect that a donation is related to terrorist financing.
- report to the Charity Commission any payment (or payments) totalling £25,000 or more, or any gift or donation of significant sums of money or other property from an unknown or unverified source. This report will be made under the reporting serious incidents regime. This could include an unusually large one-off donation or a series of smaller donations from a source trustees cannot identify or check.
- Check the donor against the consolidated lists of financial sanctions targets and proscribed organisations.
- Consider whether to refuse the donation.

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