



## **The PGS Ethical Fundraising and Gift Acceptance Policy**

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## **1. Introduction**

- 1.1. The Governing Body of The Portsmouth Grammar School welcomes offers of donations of all sizes which enable its continuing development and bursary funding. All fundraising solicitations are undertaken through the school's Development Office. It commits to undertake all fundraising activity ethically and in line with best practice. Donations should be made to The Portsmouth Grammar School, registered charity number 1063732.
- 1.2. The Governors are pleased to accept lawful donations which are given in good faith and which are compatible with the school's aims, values and strategic objectives. Donations must be freely given with no expectation of anything in return other than due thanks and recognition. The Governors do not accept donations when a condition of acceptance would compromise its autonomy, integrity and reputation.
- 1.3. This policy seeks to outline the principles by which The Portsmouth Grammar School Development Office will or will not pursue potential donations, and to establish guidelines governing potentially controversial gifts or donors.
- 1.4. Its purpose is to give prospective donors the greatest freedom possible in formulating their gifts, whilst safeguarding the best interests of The Portsmouth Grammar School.

## **2. Ethical Fundraising Principles**

### **2.1. Gift solicitation**

2.1.1. Fundraising solicitations on behalf of The Portsmouth Grammar School will:

- 2.1.1.(a) be truthful;
- 2.1.1.(b) accurately describe the intended use of donated funds;
- 2.1.1.(c) respect the dignity of the donor and of those who benefit from the school's activities; and
- 2.1.1.(d) be made in accordance with any applicable requirements under charity law and the Code of Fundraising Practice.

2.1.2. Volunteers and employees who solicit funds on behalf of the school shall:

- 2.1.2.(a) adhere to the provisions of these guidelines;
- 2.1.2.(b) act with fairness, integrity, and in accordance with all applicable laws;

- 2.1.2.(c) adhere to the provisions of any applicable professional codes of ethical practice which apply to them as individuals;
- 2.1.2.(d) cease solicitation of a prospective donor who identifies solicitation as harassment or undue pressure;
- 2.1.2.(e) disclose immediately to the Head and Governing Body any conflict of interest; and
- 2.1.2.(f) not accept donations for purposes that are inconsistent with the school's strategic and educational objectives.

2.1.3. Paid fundraisers, whether employed staff, short-term contractors or consultants, will not be paid finders' fees, commissions or other payments based on either the number of gifts received or the value of funds raised. They will be compensated by a salary, hourly wage or fee. Their compensation will be consistent with the school's policies and practices that apply to non-fundraising personnel.

2.1.4. Those soliciting donations on behalf of the school will take all reasonable steps to treat donors fairly, enabling them to make an informed decision about any donation. This will include taking into account the needs of any potential donor who may be in a vulnerable circumstance or require additional care and support to make an informed decision.

## **2.2. Donors**

2.2.1. Donors will be encouraged to seek independent advice if the school has any reason to believe that a proposed gift might significantly affect the donor's financial position, taxable income, or relationship with other family members.

2.2.2. The Portsmouth Grammar School is not responsible for the financial, tax or legal position of donors or prospective donors in relation to their gifts. Donors or prospective donors must take such advice as they deem necessary.

2.2.3. Where a change in circumstances prompts a donor to request the payment of part or all of a donation, the final decision to repay will rest with the Governing Body.

2.2.4. In cases where a donor wishes to remain anonymous, such anonymity will be respected for all public purposes. The school will, however, disclose details of any donor where it is required to do so by law, by any governmental or other regulatory authority, or by order of a court. The identity of anonymous donors will be known only to the Head, the Development Director and the Chair of Governors, and to those school staff who process the gift.

## **2.3. Data**

2.3.1. Any donor records held by The Portsmouth Grammar School Development Office will be maintained in accordance with the school's data protection policy which can be found on the school website ([www.pgs.org.uk/key-information/school-policies](http://www.pgs.org.uk/key-information/school-policies)) and all relevant statutory legislation.

2.3.2. The school will not sell its donor and alumni lists and contact details.

## **2.4. Use of gifts**

2.4.1. All donations given for a specific purpose ('Restricted Gifts') will be used for that purpose and in a timely manner. If necessary, due to programme or organisational changes, alternative uses or extensions to timescales will be discussed where possible with the donor(s). If a donor is deceased, and the Development Office is unable to contact a legal designate, the donation will be used in a manner that is as consistent as possible with the donor's original intent.

2.4.2. Unrestricted gifts may be expended on any purposes approved by the Governors.

2.4.3. Donors accept that the management and governance of programmes and activities funded through donations rests solely with The Portsmouth Grammar School.

## **2.5. Complaints**

2.5.1. The Development Office will respond promptly (within 15 days) to any complaint by a donor or prospective donor about any matter that is addressed in this policy. The Development Director will attempt to satisfy the complainant's concerns in the first instance. A complainant who remains dissatisfied will be informed that they may appeal in writing to the Head, who will respond within a further 15 days. If the issue remains unsolved, the complainant may pursue the matter with the Governing Body.

2.5.2. The Governing Body will be informed at least termly of the number and nature of any complaints received from donors or prospective donors about matters that are addressed in these guidelines.

2.5.3. The Governing Body will be informed at least termly of the number and nature of any complaints made to the Fundraising Regulator about the School.

## **2.6. Donor Recognition Policy**

The school has a separate Donor Recognition policy for internal management purposes.

### **3. Gift Acceptance**

- 3.1. The Governing Body encourages the solicitation and acceptance of gifts and grants that enable it to fulfil its strategic objectives. Gifts may be sought from individuals, corporations, and foundations. They will be sought only for purposes that have been approved by the school's Governing Body.
- 3.2. The school is legally obliged to adhere to the terms and conditions of every gift. For this reason, the terms of each gift must be considered with the utmost care to be sure any terms and conditions are feasible, do not unduly hamper the usefulness and desirability of the gift, and are in accordance with the school's policies.
- 3.3. The school is unable to accept gifts which are too restrictive in purpose or inconsistent with the stated academic purpose, priorities and strategic objectives of The Portsmouth Grammar School.
- 3.4. Gifts that may expose PGS to adverse publicity, require expenditure beyond the school's resources, or involve the school in unexpected responsibilities because of their source, condition, or purposes, will not be accepted.
- 3.5. Gifts received by PGS must not inhibit it from accepting gifts from other donors. The school also cannot accept gifts which involve unlawful discrimination on any basis. Gifts that may result in current or future financial obligations for the school or that will have an impact on school facilities and grounds will require prior approval of the Governors. Gifts that involve naming a school facility will also require approval of the Governors.
- 3.6. The decision of a parent to make or not make a gift to the school will have no bearing on the academic, sporting or co-curricular opportunities open to an individual pupil. Gifts from prospective parents without a confirmed place will not be accepted.
- 3.7. To comply with money laundering and related legislation as might apply from time to time, the school might require donors and potential donors to provide reasonable proof of identity and, if necessary, furnish information as to the origin of the gift to be donated.

### **4. Potential Gifts Which May Have a Controversial Dimension**

- 4.1. The following issues should be considered for all potential gifts and prospective donors which may have a controversial dimension:
- 4.2. Would acceptance of the potential gift be inconsistent with the school's strategic and educational objectives?
- 4.3. Is there published or other credible evidence that the proposed gift will be made from a source that arises from an activity that:

- 4.3.1. Evaded taxation or involved fraud?
- 4.3.2. Violated international conventions that bear on human rights?
- 4.3.3. Limited freedom of enquiry or encroached on academic freedom?
- 4.3.4. Was illegal in whole or part?
- 4.3.5. Involved money laundering?
- 4.3.6. Is inconsistent with the values and reputation of The Portsmouth Grammar School?
- 4.4. Is there evidence that the proposed gift or any of its terms will:
  - 4.4.1. Require action that is illegal?
  - 4.4.2. Damage the reputation of the school?
  - 4.4.3. Create unacceptable conflicts of interest?
  - 4.4.4. Come with unacceptable expectations?
  - 4.4.5. Harm the school's relationship with its stakeholders (e.g. other donors, parents, pupils, staff, alumni, or the local community)?
- 4.5. If the Development Director considers that the answer to any of the above questions might be yes, it is the Development Director's responsibility, at the earliest possible stage, to alert the Head. In consultation with the Chair of Governors, the Head will then decide whether or not further discussion should be pursued with the potential benefactor.
- 4.6. The Chair of Governors may at this stage decide to convene an ad hoc Gift Acceptance Committee comprising of the Development Director, the Head and at least two Governors. Prior to any meeting of the Gift Acceptance Committee, the Development Office will provide members with a briefing, including reasonable due diligence on the donor. Appropriate professional research will be undertaken on potential donors to address issues of reputational risk if there are any concerns about the identity of the donor. Gifts of sums greater than £1,000 are not accepted where the sources are unknown to the Development Office or cannot be verified.

## 5. Different Types of Gift

Gifts are accepted in the following forms and with the following restrictions:

### 5.1. Cash (or equivalent)

In order to comply with money laundering regulations, cash donations of over £50 cannot be accepted. Cheques and card donations are accepted.

## **5.2. Shares**

5.2.1. The school can accept publicly traded securities. Securities may be accepted subject to completion of the necessary transfer formalities and the payment of any Stamp Duty.

5.2.2. As a general rule, all marketable securities will be sold upon receipt unless otherwise agreed in advance. Donors may also donate shares via the share donation charity, Sharegift ([www.sharegift.org](http://www.sharegift.org)) listing The Portsmouth Grammar School as a charity that they support.

## **5.3. Real estate**

5.3.1. The school may accept a donation or legacy of unencumbered property.

5.3.2. The Governing Body has a legal responsibility to act always in the best interest of the school. Donors should be aware that this may involve selling any donated land or property and using the proceeds to advance the school's strategic and educational objectives. For this reason, donors considering donations or legacies of real estate are encouraged to consult the Development Office at an early stage.

## **5.4. Gifts of other tangible personal property**

5.4.1. Donations of jewellery, artwork, collections, and equipment may be accepted.

5.4.2. Donors should be aware that the school has limited space and is not able to expend funds on additional storage facilities of a specialist nature or offsite without Governors' approval. The school is also unable to expend funds to insure a gift. For these reasons, the school reserves the right to sell any such donated property. Such items will not be sold for as long as the Governors deem the donation to have an educational purpose related to the mission of the school. The school will follow all HMRC guidelines in connection with disposing of donations of tangible personal property and filing of appropriate tax reporting forms.

## **5.5. Endowments**

5.5.1. Endowment gifts will be managed according to the investment and expenditure policy approved by the Governors. Unrestricted endowment gifts are encouraged.

## **5.6. Legacies**



5.6.1. A legacy is a gift of any amount or form made to The Portsmouth Grammar School in a donor's will. Legacies may be residuary, pecuniary, specific legacy bequest, or reversionary.

#### **5.7. Note on endowments and legacies**

Donors should be aware that over the (sometimes many) years following the establishment of an endowment or a legacy gift, the needs, policies, and circumstances of The Portsmouth Grammar School can change in unforeseen ways. The Governors must have the flexibility to make use of funds in the best interests of the school, while doing so in accord with donor interests and specifications. For this reason, donors are advised to describe the specific purposes of their gifts as broadly as possible and to avoid detailed limitations and restrictions. Donors considering legacies for a specific purpose are encouraged to consult the Development Office at an early stage.

### Allocation of Tasks

Task	Allocated to	When / frequency of review
Keeping the policy up to date and compliant with the law and best practice	Development Director	As required, and at least annually
Monitoring the implementation of the policy, relevant risk assessments and any action taken in response and evaluating effectiveness	Development Office	As required, and at least annually
Maintaining up to date records of all information created in relation to the policy and its implementation as required by the GDPR	Development Office	As required, and at least annually
Reviewing/ receiving input from interested groups (such as pupils, staff, Parents) to consider improvements to the School's processes under the policy	Development Director	As required, and at least annually
Formal review	Development Director	Every 3 Years

### Version Control

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