

# donor charter & ethical guidelines for Chesil Theatre

Winchester Dramatic Society (WDS) welcomes offers of donations of all sizes. Philanthropic gifts from individuals, trusts and foundations and corporate donors play a vital and vibrant role in the charity's work and such support can enable us to do more – to expand our youth programme, to develop our premises and to reach members of the community.

WDS seeks to uphold the [Codes of Fundraising Conduct](#) held by the UK Fundraising Regulator.

## **The Mission of the Charity:**

WDS ('the charity') is the fundraising vehicle for the performing arts charity known as Chesil Theatre. WDS is a charitable organisation registered with the UK Charity Commission (Charity Number 285043). It encourages the solicitation and acceptance of gifts for purposes that will help the charity to further and fulfil its mission. The legal mission of WDS (Chesil Theatre) is:

- To promote, maintain, improve and advance public education, particularly by the production of educational plays and the encouragement of the arts, including the arts of drama, mime, dance, singing and music, literature, poetry.

## **Purpose of this policy:**

On behalf of the Trustees, the charity may solicit gifts from individuals, corporations, and charitable trusts and foundations, to help further its mission. This policy governs the acceptance of gifts by WDS and provides guidance to prospective donors and their advisers when contemplating and/or making gifts.

Donations must be freely given with no expectation of anything in return other than due thanks and recognition. WDS is pleased to accept lawful donations which are given in good faith and which are compatible with the charity's aims, ethos and strategic objectives. As the charity values and safeguards its autonomy, integrity and reputation, it does not accept donations when a condition of acceptance would compromise these fundamental principles. This policy is to be interpreted so that prospective donors may enjoy the greatest freedom possible in formulating their gifts, whilst safeguarding the best interests of the charity.

## **A. Fundraising Practices**

The charity is responsible for:

- the cultivation and the stewardship of donors at all levels;
- the management and administration of all pledges, gifts and legacies;
- accounting and reporting for individual gifts;
- compliance with Charity Commission and UK law, including the General Data Protection Regulations of 2018;
- ensuring to the best of their ability that all gifts are used according to donor guidelines.

Chesil Theatre, Chesil Street, Winchester SO23 0HU  
Winchester Dramatic Society trading as Chesil Theatre: A company limited by guarantee, registered in England and Wales, No 1621492

The charity encourages the solicitation and acceptance of private gifts and grants that enable it to fulfil its educational mission. Gifts may be sought from individuals, corporations, and foundations, both in the UK and outside of it.

All pledges and / or gifts should be accompanied by a completed Gift Form or appropriate written documentation showing the donor's name and purpose of the gift, i.e. whether it is restricted to the capital campaign, core costs, etc., for transparency and accurate record-keeping.

All solicitations and appeals for funds made by either committee members or volunteers of nominated agents will:

- be truthful;
- accurately describe the charity's activities and the intended use of donated funds;
- respect the dignity of the donor and of those who benefit from the charity's activities;
- act with fairness, integrity, and in accordance with all applicable laws;
- adhere to the provisions of applicable professional codes of ethics, standards of practice, etc.

Donors and prospective donors are entitled to know, upon request, whether an individual soliciting funds on behalf of WDS is a volunteer, an employee or a hired solicitor: the charity currently comprises no paid members of staff and is entirely run by volunteers. Future paid staff undertaking fundraising would be compensated by a fixed fee, and are not paid finders' fees, commissions, or percentages of gifts raised based on either the number of gifts received or the value of funds raised.

Members of staff, either paid or volunteer (including Trustees), embody in word and action respect for truth, fairness, freedom of expression, and the opinions of others. They uphold the professional reputation of the charity and the sector and give credit for ideas, words, or images originated by others. They are obliged to:

- safeguard privacy rights and confidential information;
- not grant or accept favours for personal gain;
- avoid actual or apparent conflicts of interest and, if in doubt, seek guidance from appropriate authorities.

Donors will be encouraged to seek independent advice if the charity 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.

WDS's financial affairs will be conducted in a responsible manner, consistent with the ethical obligations of stewardship and the legal requirements of the Charity Commission.

All financial reports will:

- be factual and accurate in all material respects;
- be prepared in accordance with generally accepted accounting principles and standards.

A formal acknowledgement of donations is sent to each donor upon receipt of a gift.

WDS undertakes that it will:

- cease solicitation of a prospective donor who requests no further contact;
- disclose immediately to the Chair of Trustees any actual or apparent conflict of interest;
- not accept donations for purposes that are inconsistent with the charity's ethos or aims.

The charity will not share staff, volunteer, donor or prospect lists to unrelated parties, nor sell lists for the purposes of external marketing, or for use by other charities or corporations.

All restricted or designated donations will be used for the purposes for which they are given, in a timely fashion. 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 charity 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.

The cost and long-term cost-effectiveness of WDS's fundraising, undertaken by the charity, will be subject to periodic review by the board of Trustees.

Gifts are accepted in the following formats:

- *Cash or equivalent:* In order to comply with money laundering regulations, cash donations of over £50 will not be accepted. Cheques are accepted and should be made payable to 'Winchester Dramatic Society'. The charity accepts payments by credit card which can be made by phone upon request. All cash (or equivalent) gifts should be sent to:

*Honorary Treasurer, Peter Bateson, Chesil Theatre, Winchester, SO23 0HU*

- *Shares:* The charity can accept publicly traded securities. Securities may be accepted subject to completion of the necessary transfer formalities and the payment of any Stamp Duty. As a general rule, all marketable securities will be sold upon receipt unless otherwise directed. The charity does not, however, encourage such gifts as they place an extra administrative burden on its volunteers.
- *Tangible personal property:* Tangible personal property includes art, furniture, books, memorabilia, coin and stamp collections, jewellery, vehicles and any other personal property item owned by a donor. It excludes property and land. The charity will examine a potential gift of tangible personal property for the item's financial value, its potential use by and significance, any associated ongoing risks or costs to the charity (e.g. insurance) and, if it is agreed with the donor that the item will not be used or kept, whether the item could be sold and converted into cash.
- 
- *Property and land:* Gifts of property (real estate) and land may include gifts of developed property or undeveloped land. Prior to acceptance of gifts of real estate, the charity shall require a structural survey or other similar review of the real estate to ensure that it offers no significant on-going financial or environmental risks or costs. The cost of such survey or review will be an expense of the donor, not WDS. Prior to acceptance of the real estate, the gift will have to be approved by charity's board. WDS may accept a remainder interest in a

Chesil Theatre, Chesil Street, Winchester SO23 0HU  
Winchester Dramatic Society trading as Chesil Theatre: A company limited by guarantee, registered in England and Wales, No 1621492

personal residence, farm, or second property subject to the provisions above. The donor or other occupants may continue to occupy the property for the duration of the stated life. On the death of the donor, the charity may use the property or convert it to cash at their absolute discretion.

- *Bequests:* WDS will gratefully accept bequests (gifts in wills / legacies) for the benefit of its on-going work. The charity asks donors wishing to leave a bequest to execute an appropriate codicil or include in their will. WDS is also keen that such donors notify them if they would like to do so, in order for the charity to keep accurate records of those who have made a provision in their will or codicil. In this way, WDS can ensure that legacy pledge-makers can be appropriately thanked. Such notification is in no way binding and those notifying the charity of an intention to leave a gift in their will retain absolute rights over whether or not to fulfil this commitment.

Should it be deemed necessary, we will undertake due diligence research before accepting a donation or entering into a new partnership with a supporter or other organisation.

## **B. Donors' Rights**

All fundraising solicitations, by or on behalf of WDS, will disclose the charity's name and purpose for which the funds are requested. Printed solicitations (however transmitted) will also include contact information and the registered charity number.

Gifts to the charity will be processed promptly, acknowledged and receipted in good time and stewarded appropriately. Donors will be thanked by the most appropriate member of staff or leadership volunteer, according to the type, size and purpose of the gift.

Donors and prospective donors are entitled to the following, promptly upon request:

- the most recent annual report;
- confirmation of the charitable status of WDS;
- a copy of this code.

The privacy of donors will be respected. Any donor records that are maintained by the charity will be kept confidential to the greatest extent possible. Donors have the right to see their own donor record, and to challenge its accuracy.

Donors and prospective donors will be treated with respect. Every effort will be made to honour any requests to:

- limit the frequency of solicitations;
- not be solicited by telephone or other technology;
- receive printed material concerning the charity's activities;

Chesil Theatre, Chesil Street, Winchester SO23 0HU  
Winchester Dramatic Society trading as Chesil Theatre: A company limited by guarantee, registered in England and Wales, No 1621492

**appeal@chesiltheatre.org.uk | Registered UK Charity: No 285043**

- to remain anonymous. (The charity may 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. Senior charity stakeholders will be by necessity aware of the real identity of the donor.)

Donors accept that the management and governance of programmes and/or activities funded through philanthropy, rests solely with the charity itself. Donors will, however, be provided with appropriate and commensurate opportunities for continuing engagement with the programmes/activities that they have funded or are funding.

Most donors are deeply interested in the progress of the activity they have supported. Therefore, the charity may seek to make follow-up contact with donors to inform them of the impact of their gift, and to offer additional thanks for their contribution.

The charity will respond within 30 days to a complaint by a donor or prospective donor about any matter that is addressed in this policy. The Secretary will attempt to satisfy the complainant's concerns in the first instance. A complainant who remains dissatisfied will be informed that he/she may appeal in writing to the Chair of Trustees, David Small, who will respond to this appeal within a further 30 days. If the issue remains unresolved the complainant may pursue the matter with the Charity Commission.

### **C. Ethical Guidelines for the Acceptance of Gifts and Donations**

The charity undertakes that all communications made to potential donors concerning a project will be honest, truthful, and comply with the law and the Codes of Fundraising Conduct.

It is agreed that the basis on which WDS will actively seek funding is:

- that the full cost of the project or part thereof is identified (including staff costs; research and production/implementation costs where applicable);
- that the project is approved by the Trustees as being strategically important to WDS's mission.

Donors can be thanked and acknowledged via group and individualised communications and events as appropriate, as well as in any annual report. In some cases, donors may receive invitations to dinners or events.

The Trustees are not responsible for the financial, tax or legal position of donors or of prospective donors in relation to their gifts. Donors or prospective donors must take such advice as they deem necessary and in no circumstances are they entitled to rely on guidance offered by the charity, whether written or verbal, which can only ever be generic in nature.

To comply with money laundering and related legislation as this might apply from time to time, the charity 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.

WDS reserves the right to consult published or other credible evidence if they suspect that a proposed gift will be made from a source that arises in whole or in part from an activity that:

- involved fraud; violated international conventions that bear on human rights, or limited freedom of enquiry;
- or that will require action that is illegal, seriously damage the reputation of the charity, create adverse publicity, or that will create unacceptable conflicts of interest or harm WDS's relationship with other benefactors, partners, potential supporters or the wider community.

The Theatre may accept philanthropic donations from its members as well as the general public.

The charity will take reasonable steps to clarify the source of any donated funding. Previous decisions regarding the acceptance of particular gifts, taken in good faith, may be reviewed and may be reconsidered, in the light of new events or information.

The charity may not accept gifts that are too restrictive in scope. Gifts that may be regarded as too restrictive are those that are too difficult to administer or gifts that are for purposes outside the wider aims of the charity. All final decisions on the restrictive nature of a gift, and its acceptance or refusal, shall be made by the charity's board, although efforts will always be made to establish if the reasonable wishes of donors can be respected.

Where a change in circumstances prompts a donor to request the repayment of part or all of a donation, the final decision to repay a donation shall rest with the Trustees.

*This policy was last updated on 11<sup>th</sup> April 2022 by Eleanor Marsden, Chair of the Fundraising Committee*

*Comments or queries should be addressed to Eleanor Marsden, [fundraising@chesiltheatre.org.uk](mailto:fundraising@chesiltheatre.org.uk) in the first instance.*

*V.1.0*