

# Fundraising Institute Australia

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## Code – 1 June 2018

### About FIA

Fundraising Institute Australia (FIA) is the largest representative body for the \$12.5 billion Fundraising sector. Members include charities and other not-for-profits operating domestically and internationally, as well as Suppliers and professionals who provide services and support to the sector. FIA advocates for the interests of the sector, administers the system of self-regulation including the Code, educates Fundraising practitioners, promotes research and creates forums for the exchange of knowledge.

### Preface

The FIA Code is a voluntary, self-regulatory code of conduct for fundraising in Australia. It aims to raise standards of conduct across the sector by going beyond the requirements of government regulation. Its content is informed by the International Statement of Ethical Principles in Fundraising.

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## 1. About the Code

- 1.1. The Code applies to FIA Members.
- 1.2. The Code commits Members to high standards of ethical conduct.
- 1.3. The Code is self-regulatory and does not replace or override any law.
- 1.4. Adherence to the Code is a requirement of FIA membership.

## 2. Compliance

- 2.1 Members will comply with all Federal, State and Municipal laws and regulations applicable to Fundraising.
- 2.2 At least one board member, on behalf of the board of directors, or the chief executive of the Member, will sign off annually on the Member's adherence to the Code.
- 2.3 Members will ensure that those engaged in Fundraising activities have completed FIA Code training within six months of their appointment.
- 2.4 Members agree to accept the decision of the Code Authority in respect of any complaint brought against them under the Code.
- 2.5 Members agree to have their adherence to the Code monitored by FIA.

## 3. Ethical conduct

- 3.1. Members will not engage in activities that bring Fundraising into disrepute.
- 3.2. Members will act openly, honestly and with regard to their responsibility for public trust.
- 3.3. Members will act with respect for professional Fundraising, the Cause they represent, Donors and Beneficiaries.
- 3.4. Members will not exploit relationships with Donors.
- 3.5. Members will conduct themselves in a manner that encourages others to aspire to the same high standards, valuing privacy, confidentiality, trust and integrity.
- 3.6. Members will be open about the work they do, including how funds are raised, managed and disbursed.

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#### 4. Conduct towards Donors

- 4.1. Members will promptly and courteously comply with a Donor's:
  - a) refusal to make a Donation;
  - b) request to not receive any future solicitations;
  - c) request to be contacted at a more convenient time or by a different method; and
  - d) request to limit the number, type or frequency of solicitations.
- 4.2. Members will, each time they contact a prospective Donor, provide information about how the prospective Donor can opt-out of receiving any further solicitations from the Member.
- 4.3. Members will, if asked:
  - a) provide the contact details of the Cause on whose behalf the Member is fundraising;
  - b) assist donors to stop receiving solicitations;
  - c) provide information about how the Donor's contact details were obtained; and
  - d) provide information about how to make a complaint or the name and contact details of the person who is responsible for handling complaints.
- 4.4. Members will make readily available, on request, information about the Cause for which they are Fundraising, including:
  - a) its objects and how it intends to use the Donated funds;
  - b) its capacity to use Donations effectively for their intended purposes;
  - c) its most recent annual report and/or financial statements;
  - d) its governing Board; and
  - e) whether funds are being raised by volunteers, employees or Suppliers.
- 4.5. Members will ensure that appropriate security measures are in place to protect Donor information at all times.
- 4.6. Members will have a clear policy on acceptance or refusal of Donations.
- 4.7. Members will not accept a Donation where:

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- a) they have a reasonable belief that the Donor is in vulnerable circumstances or lacks capacity to make a decision to Donate; or
- b) to do so would compromise the interests or objects of the Cause on whose behalf the Member is Fundraising.

4.8. Members may choose not to accept a Donation where:

- a) the activities of the Donor are incompatible with the objects of the Cause on whose behalf the Member is Fundraising;
  - b) the cost of accepting the Donation will be greater than the value of the Donation;
- or
- c) there is reason to believe that accepting the donation may give rise to litigation.

4.9. Members may accept a Donation for a specific activity provided that the activity is:

- a) directly related to the objects of the Cause for which the Member is Fundraising; and
- b) practically achievable by the Cause.

4.10. Members will:

- a) not subject Donors to undue influence, harassment, intimidation or coercion;
- b) maintain an appropriate professional relationship with the Donor in connection with any Donation or Bequest;
- c) not prevent or discourage a Donor from seeking independent legal advice in relation to a Donation;
- d) not prevent or discourage a Donor from having a family member or other trusted advisor present when considering a Donation; and
- e) not, after obtaining a Donation, change the conditions of the Donation without first
- f) communicating with the Donor any changes and gaining their consent for the change.

4.11. Members will ensure their promotional materials:

- a) are not false, misleading or likely to deceive;
- b) do not claim or imply that professional fundraising activities are carried out at no cost;
- c) are not knowingly sent to a Child without the consent of the Child's parent or guardian;

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- d) do not contain depictions that are demeaning, discriminatory, pornographic or unduly violent towards a person or group.
- e) do not disparage others; and
- f) do not infringe on the intellectual property rights of others.

4.12 Members will ensure a Donor has given consent prior to any public recognition of their Donation.

## 5. Conduct towards Beneficiaries

5.1 Members will not engage in conduct that threatens the dignity of, or disparages a Beneficiary. Such conduct may include, but is not limited to:

- a) commenting unnecessarily or negatively on the impairment, dependency or disability of a Beneficiary;
- b) using language which suggests that the Beneficiary is to be pitied or feared;
- c) using Children in promotional materials to raise funds for adult causes, giving the impression that the Beneficiaries are childlike
- d) stating or implying a falsehood regarding a Beneficiary; or
- e) using a Beneficiary's image, name or other personal information without their permission.

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## 6. Conduct in Supplier relationships

- 6.1 Members will have written contracts with all relevant parties in their Supply Chain that specify the responsibilities of all parties and meet the requirements of applicable laws and regulations.
- 6.2 Members will ensure that all relevant parties in their Supply Chain are aware of the Member's obligations under the Code and do not act in ways that could result in the Member being in breach of the Code.
- 6.3 Members will ensure that Supplier costs incurred in fundraising are proportionate to the funds raised and represent fair market value for services provided.

## 7. Administration and enforcement

- 7.1 Compliance with the Code will be monitored and enforced by the Code Authority.
- 7.2 Alleged breaches of the Code will be referred to the Code Authority.

## 8. Definitions

<b>Beneficiary</b>	means the recipient of a benefit as a result of fundraising for a Cause.
<b>Bequest</b>	means a gift of any asset or right given in a Donor's will and includes a legacy.
<b>CEO</b>	means the CEO of Fundraising Institute Australia
<b>Cause</b>	means a purpose such as advancing health, education, social or public welfare, religion, culture; promoting reconciliation, mutual respect and tolerance between groups of individuals; promoting or protecting human rights; advancing the security or safety of the public; preventing or relieving the suffering of animals; advancing the natural environment; promoting or opposing a change to any matter established by law, policy or practice in the Commonwealth, a state, a territory or another country, and other not-for-profit purposes 'beneficial to the general public'.
<b>Code Authority</b>	means a committee established by the FIA Board pursuant to the FIA constitution for the purposes of deciding on matters related to the Code.

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<b>Code</b>	means the document that commits FIA Members to high standards of ethical conduct.
<b>Children</b>	means people under the age of 18.
<b>Complaint</b>	means a notice in writing sent by any person to FIA, by way of a completed complaint form, concerning an alleged breach by an FIA Member of any part of the Code.
<b>Donation</b>	means a voluntary contribution or Bequest of money, property, goods or services to a Cause for the purpose of furthering its objects.
<b>Donor</b>	means an individual or their legal representative (in the case of a deceased person's Bequest) or other entity that makes a donation to a Cause.
<b>FIA</b>	means Fundraising Institute Australia.
<b>Fundraising</b>	means the act of seeking and obtaining Donations on behalf of a cause.
<b>Member</b>	means and includes both individual and organisational Members of FIA.
<b>Supplier</b>	means a third party supplying goods or services to a Member for payment. A supplier may also be a Member of FIA.
<b>Supply Chain</b>	means the system of organisations, people, activities, information, and resources involved in delivering a product or service from supplier to client.

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