



StC Policy for dealing with vulnerable donors.

At StC we want our clients, both charity clients and employers, to feel comfortable with the ways that we recruit donors. This policy aims to make sure that we meet this pledge at all times. We also want everyone who works for us to understand their responsibilities to all donors, whether potential donors or recruited donors. We want to work together in a clear and consistent way, always taking reasonable care to treat everyone fairly.

This policy follows the Institute of Fundraising's guidance *Treating Donors Fairly*, specifically the guidance for fundraisers on responding to the needs of people in vulnerable circumstances and helping donors make informed decisions. The full report can be found here: <http://www.institute-of-fundraising.org.uk/guidance/research/treating-donors-fairly/>

Sections of this policy marked with an asterisk (*) have been taken directly from the Institute's guidance.

As well as the Institute of Fundraising, we are also members of the following professional body:

- Association of Payroll Giving Organisations (APGO)

We abide to follow the codes of each of these organisations and those regulations put forward by the Fundraising regulator and the Charities Act 1992 and the Charities (Protection and Social Investment) Act 2016, (as amended or replaced from time to time, or any statutory requirements or modifications thereof.

We want this policy to inform our working practices and be relevant to all. We will take steps to ensure that this approach is embedded in our organisation's culture and ensure that this policy is visible at all times on our website. <http://www.stcpayrollgiving.co.uk/other-policies/>

We will ensure all those that regularly communicate with donors are fully trained before they do so and that this training is refreshed at least once a year.

How do we identify an individual who needs additional care and support, or may be in a vulnerable circumstance?

The Collins dictionary defines "vulnerable" (amongst other things) as:

1. Capable of being physically or emotionally wounded or hurt
2. Open to temptation, persuasion, censure, etc.
3. Liable or exposed to disease, disaster, etc.

We first need to define someone as vulnerable and then ascertain if this is a permanent or a current life situation. We will not make sweeping judgements on people - for example, age is not necessarily an indicator of vulnerability - and everyone should have the opportunity to donate, if they are able to do so. We also need to bear in mind that actively avoiding someone based on a characteristic such as age could be seen to be discriminatory.

Permanent versus temporary vulnerabilities *

There is some overlap in these indicators above and the tests relating to mental capacity. The important distinction is whether the individual has a complete lack of capacity to make a decision, or needs more information and support to be able to make a decision to donate. Fundraisers need to be aware of this difference so that they can make a reasoned judgment and act appropriately when dealing with existing or potential donors. An individual who may need additional care and support, or may be in a vulnerable circumstance, can still have capacity to choose to donate to a charity.

Examples include:

| Permanent | Current life situation |
|---|---|
| Physical & mental medical conditions | Physical & mental medical conditions |
| Disability | Times of stress or anxiety e.g. Bereavement, redundancy |
| Learning disabilities | Financial vulnerability |
| Financial vulnerability | Influence of alcohol or drugs |
| English not being the donors first language | |
| | |

Indicators that the individual appears confused *

It is not possible to provide a comprehensive set of factors or characteristics which would enable fundraisers to be able to always identify an individual who is in a vulnerable circumstance, may require additional support, or lack capacity. Instead, what follows is a (non-exhaustive) list of indicators or triggers which could signal that someone may be in a vulnerable circumstance or lack capacity.

Are they:

- Asking irrelevant and unrelated questions?
- Responding in an irrational way to simple questions?
- Asking for questions or information to be continually repeated?
- Saying 'yes' or 'no' at times that it is clear they haven't understood?
- Taking a long time or displaying difficulty in responding to simple questions or requests for information?
- Repeating simple questions such as 'who are you, what charity is it, what do you want?'
- Wandering off the subject at hand and making incongruous statements?
- Displaying signs of forgetfulness?

Indicators that the individual may have physical difficulties *

The displaying of physical difficulties by the donor does not necessarily indicate any issues of vulnerability or mental capacity. However, if a donor is experiencing or exhibiting any form of physical difficulty or distress, this could impact on their ability to make an informed decision on their donation at that time and could be addressed by a fundraiser acknowledging and addressing that need.

Are they:

- Unable to hear and understand what is being said?
- Unable to read and understand the information they are provided with?
- Displaying signs of ill-health like breathlessness or making signs of exasperation or discontent?

Indicators that the individual may be in a vulnerable circumstance (or lack capacity) *

Different signs should be more or less apparent depending on the nature of the communication and fundraising interaction – talking to an individual face to face will allow for more signs or indicators to be picked up by the fundraiser who can then respond appropriately. What is important is that fundraisers are alert to any signs given which indicate that the individual may not be able to make an informed decision about their donation.

Are they:

- Giving a statement such as ‘I don’t usually do things like this, my husband/wife/son/daughter takes care of it for me’?
- Saying that they are not feeling well or not in the mood to continue?
- Indicating in any way that they are feeling rushed, flustered, or experiencing a stressful situation?
- Having trouble remembering relevant information, for example forgetting that they are already a regular donor to that charity (e.g. have an existing Direct Debit), or have recently donated?
- Donating an unexpectedly large gift with no prior relationship?

(NB. There being no prior relationship before a gift is made does not on its own constitute ‘vulnerability’: many legacy and major donor gifts to charities are given without the existence of a relationship between the donor and charity.)

What should we do if a potentially vulnerable person wishes to sign a donor form?

Interaction with vulnerable people may be unavoidable, especially as it is not always immediately obvious what a person’s situation is. How fundraisers respond to the needs of an individual will depend on the nature of the particular interaction and engagement. Fundraisers should be responsive to the needs of an individual and adapt his or her approach to suit those needs and the context.

Examples of how a fundraiser can respond to the needs of an individual: *

- Talk in clear language, avoiding words and phrases that may be hard to understand (but avoid shouting).
- Repeat information.
- Try to reflect the terminology used by the donor which may help to increase/speed up their understanding.
- Be patient and do not rush the individual.
- Provide alternative formats of fundraising materials (different language, accessible formats).
- Be upfront and tell the person why you are communicating with them and check they are happy to continue.
- Ask if they would prefer to be contacted in a different form (email, letter) and offer to contact them at a different time.

- Ask if they would like to talk to anybody else before making a decision.
- Check their understanding at relevant parts.
- Check with a supervisor or HR manager if they are available.

Taking or returning a donation

If you're still unsure about whether or not we should allow the donor to complete a form, you should refer to the following checklist: *

- Check against the charity commission gift acceptance/refusal policy (section 6.3).
<https://www.gov.uk/government/publications/charities-and-fundraising-cc20/charities-and-fundraising>
- See whether the individual has completed a form before or if there is a prior relationship.
- Consider whether the donor was given any additional support at the time of completing the form to help them make an informed decision.
- Attempt to contact the donor to check that the donation, and amount, was intended.
- Make a judgment on whether you think that the person is able to make an informed decision – and if not, then do not process the form without checking with a supervisor or HR manager if they are available.

Ending contact

Based on your assessment of the situation, it may be necessary to end the interaction. When doing this, care must be taken not to cause offense or upset. Examples of ways to end a verbal or email conversation include:

- 'I've taken up enough of your time today, thank you for listening.'
- 'Maybe you would like to take some more time to consider whether you'd like to support us?'
- 'You're welcome to contact us at your convenience to discuss this further...'

Terminating the interaction could depend on whether the individual's vulnerability is judged to be a permanent or temporary situation.

What should we do if we are contacted by a family member or carer?

If a donor – or a family member with power of attorney – contacts to say that a donation was made by someone unable to make an informed choice, then we can (and should) cancel the donation. It may also be appropriate to mark this person on our database as 'do not contact'.

However, if the contact is made by a third party - such as a family member, without power of attorney - we need to be satisfied that the request is being made on behalf of the donor. The onus here falls to the third party to provide evidence that they have the right to represent the donor. We should, of course, remain sensitive to the fact the donor may be going through a permanent or temporary change in circumstances that may be quite stressful to the third party.

In all situations, the outcome and the preferences recorded should be followed up with a written confirmation to the donor.