

LONDON WILDLIFE TRUST CORPORATE PARTNERSHIPS POLICY AND POLICY FOR DECLINING DONATIONS

1. Corporate Partnerships Policy

1.1 Introduction

London Wildlife Trust (the Trust) is dedicated to protecting the capital's wildlife and wild spaces, and engaging London's diverse communities through free access to our nature reserves, campaigning, volunteering and education. Our vision is **a London alive with nature, where everyone can experience and enjoy wildlife.**

Our mission is to stand up for London's wildlife, by:

- Protecting, restoring and creating wild places for nature
- Engaging, inspiring and enabling people to connect with nature
- Championing, challenging and influencing people to stand up for nature

We aim to have positive relationships with supporters through donations, volunteering and gifts in kind. We welcome relationships with businesses whose activities and interests are compatible with our vision, mission and values. To help guarantee a sustainable business model, London Wildlife Trust aims to maintain a broad base of different sources of funding.

1.2 Context

This policy addresses 'corporate partnerships' as defined using the following Fundraising Regulator (2016) definition: *A partnership between a charitable institution and a commercial company where the commercial company provides money, skills or other resources to the charitable institution. If part of the support provided involves the commercial partner directly asking for donations, they will fall within the definition of a 'thirdparty fundraiser', and in some cases, a 'commercial participator'.* Corporate partnerships include, but are not restricted to, sponsorship agreements, affinity marketing, donations and grants; they exclude employee match funding (as in the scenario the corporate has no formal agreement or linkage with the charity).

This policy covers corporate partnerships entered into by London Wildlife Trust and any subsidiary company of the Trust. It covers both solicited and unsolicited partnerships.

We actively seek opportunities to work together with a range of external organisations and individuals to achieve shared objectives that align with those of the Trust, and believe that working together with companies is one of the ways in which we can better achieve our aims.

It is also vital that we maintain our independence and do not allow any corporate partnership to bring the name of London Wildlife Trust into disrepute. We therefore apply the following key principles to our corporate partnerships.

1.3 Key principles of corporate partnerships entered into by the Trust

- The Trust seeks to engage with as wide an audience as possible in pursuit of its vision. Policymakers, business leaders, communities and individuals all have a role to play in working with the Trust to tackle the serious threats facing London's natural environment today.
- All corporate partnership engagement must have clearly defined purpose which aligns with the Trust's vision, aims and values.
- All corporate partnership engagement must help the Trust to deliver its objectives, as defined in our Memorandum and Articles of Association and illustrated in our Strategic Plan.
- All public communications relating to the partnership will be subject to joint approval. Use of the Trust's name and logo will require prior written permission from the Trust.
- The Trust will accept contributions of resources and/or undertake joint advocacy work with selected corporate partners, where this helps advance progressive nature conservation policy and practice with key decision makers and opinion formers.
- Only the Trust will have direct access to our database, members and beneficiaries.
- The Trust will retain its right to terminate engagement with a corporate partner for reasons relating to actual or potential reputational harm, legal compliance, breach of an agreement, and misuse of intellectual property including the Trust's name.
- In addition to accepting transfers of money, skills or other resources from the commercial entity to the Trust from selected corporate partners, the Trust will actively engage in dialogue with private sector organisations to bring about corporate behaviour change in respect of best environmental practice. The range of parties with whom the Trust chooses to engage in this context may include companies that are trying to address significant negative environmental impacts within their business.
- The Trust retains the right to comment on any aspect of business practices of the corporate partner or its industry more widely which, in the opinion of the Trust, may impact on progress towards our vision of healthy, resilient ecosystems.

1.3 Due diligence

All new corporate partners will be referred to this policy via the LWT website.

2. Policy for Declining Donations

2.1 Introduction

London Wildlife Trust is regulated by the Charity Commission and our fundraising activity is regulated by the Fundraising Regulator's Code of Fundraising Practice for the United Kingdom.

The Fundraising Regulator's Code of Fundraising Practice for the United Kingdom states:

*"2.3.1 You **must not** refuse or return donations, except in exceptional circumstances."*

"2.3.2 If you decide to refuse a donation, you must keep a record of your decision and the reasons for it."

"2.3.3 You must carry out due diligence, appropriate for the size and nature of the donation, on both the financial and reputational dealings of possible partners before accepting their donations."

"7.1.1 Before entering into an agreement with a professional fundraiser or a commercial partner you must carry out appropriate checks on them (including on their financial standing and reputation) to make sure you can be confident that they are able to do what you expect them to do and that your relationship with them will not damage your reputation."

"7.1.2 You and the third-party fundraisers and commercial partners must give each other full details of any possible, perceived or actual conflicts of interest that you and they are aware of or become aware of, either: • at the due diligence stage; or • while you are working together"

The Charity Commission Guidance 'The Essential Trustee' states:

"Acting in the charity's best interests means always doing what the trustees decide will best enable the charity to carry out its purposes, both now and for the future. It's not about serving:

- *the interests of trustees or staff*
- *the personal interests of members or beneficiaries*
- *the personal interests of supporters, funders or donors*
- *the charity as an institution in itself, or preserving it for its own sake."*

The Institute of Fundraising's 'Acceptance, refusal and return: A practical guide to dealing with donations' (May 2018) states:

"Donations to charities should only be rejected in exceptional circumstances, when:

- *it would be unlawful to accept it (e.g. the organisation knows that the gift comprises the proceeds of crime); or*
- *Accepting the donation would be detrimental to the achievement of the purposes of the organisation, as set out in its constitution. This anticipated detriment must be set against the benefit of having the funds from the donor, which would enable the organisation to pursue its purposes."*

This policy outlines the principles and procedure underpinning the Trust's acceptance and refusal of donations. We recognise that in most cases there will be no reason to refuse a donation. However, for reputational or practical reasons it may be necessary for us to consider whether it is right for us to accept and indeed to decline a donation. This policy aims to ensure clarity and transparency to all of our stakeholders.

2.2 Key principles of this policy

The Trust is committed to ensuring we maintain high standards in our fundraising, meet the requirements of fundraising regulations and protect London Wildlife Trust's name and reputation from being connected with activities seen to be to the detriment of our delivering our charitable objectives.

The Board reserve the right to refuse donations or terminate partnerships not in the best interests of the charity in the following circumstances:

1. Potential for significant, adverse impact on the reputation of London Wildlife Trust;
2. The donation would require us to carry out activities that are not compliant with the Memorandum and Articles of Association or otherwise act unlawfully;
3. The donation has restrictions which we are not willing or able to fulfil;
4. The donation undermines the governance and/or operational arrangements of London Wildlife Trust.

This policy integrates with our wider fundraising strategy, the measures we take to monitor our compliance with regulations and is supported by a procedure followed by the Trust's Development team, Senior Management Team and Chief Executive.

2.3 Implementation

The Director of Development has responsibility for ensuring the Development team is trained in the circumstances in which a donation may be declined. The Director of Development will also ensure an up-to-date record is kept about decisions to decline a donation, and that all papers on the subject provided to the Board of Trustees are accurate, clear and safely filed.

The development team will use a **Risk Assessment Grid** to assess whether principle 1. *Potential for significant, adverse impact on the reputation of London Wildlife Trust* applies and therefore whether to refer a decision to potentially decline a donation to the Board of Trustees.

This policy will be reviewed every three years by the Development team. It will be approved by the Board of Trustees. This will be the case even if there are no proposed changes. In the event of relevant changes to regulation the policy will be reviewed by the Development team and approved by the Board to ensure that it is compliant.

3. Decision making: Entering and declining corporate partnerships

The ultimate responsibility in respect of acceptance or refusal of all donations rests with the Board of Trustees of London Wildlife Trust. This responsibility is delegated as laid out in the **Delegation Schedule**, which may be reviewed more regularly.

4. Transparency

This policy will be shared internally and communicated to relevant stakeholders. It will also be made available externally on London Wildlife Trust's website.

5. Legislation and regulation

London Wildlife Trust complies with all relevant legislation and regulation including:

- The Charities Act 1992
- The Charities Act 2011
- Data Protection Act 1998
- The Bribery Act 2010
- Finance Act 2011
- Proceeds of Crime Act 2002
- Terrorism Act 2000
- Fundraising Regulator's Code of Fundraising Practice for the United Kingdom

The Trust will not knowingly enter into a partnership or accept a donation that is unlawful.

6. References

Charity Commission Guidance, 'The Essential Trustee: What you need to know, what you need to do CC3' (<https://www.gov.uk/government/publications/the-essential-trustee-what-you-need-to-know-cc3>)

Fundraising Regulator, Code of Fundraising Practice, Part 1.2.3 Accepting, refusing and returning donations (<https://www.fundraisingregulator.org.uk/sites/default/files/2019-09/Code-of-Fundraising-Practice-October-2019.pdf>)

Fundraising Regulator, Code of Fundraising Practice, Part 2.7 Professional fundraisers, commercial participators and partners (<https://www.fundraisingregulator.org.uk/sites/default/files/2019-09/Code-of-Fundraising-Practice-October-2019.pdf>)

Institute of Fundraising, 'Acceptance, refusal and return: A practical guide to dealing with donations' (<https://www.institute-of-fundraising.org.uk/library/iof-acceptance-refusal-return-guidance/>)