

Fundraising and Donations Policy

October 2025

Policy	Fundraising and Donations Policy
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1. Purpose

1.1 The charity's Fundraising and Donations Policy sets out our position on accepting donations and fundraising activities in support of our charity. It provides a basis for decision-making that is based upon our agreed policy and overall objectives for our charity. This will reduce the likelihood of ad-hoc decision-making and inconsistencies.

1.2 **This policy is intended to be understood and adhered to by all stakeholders who have a role in the process for accepting donations to Fife Health Charity. This includes but is not limited to:**

- **Charity staff and Trustees;**
- **Colleagues across NHS Fife who receive donations for funds managed by Fife Health Charity which support wards, services and hospitals within NHS Fife.**

This policy should be read in conjunction with the charity's Financial Operating Procedures (section 3 – Managing charity income) and guidance provided by the charity on procedures relating to the actual process of accepting donations.

1.3 The policy will be applied in relation to the following types of charity donations:

- Cash donations
- Legacies
- Sponsorship
- Corporate donations (including in-kind)

1.4 This contributes to the following charity outcomes:

- Organisational development
 - Enhance our long-term financial sustainability through pro-active fundraising and managing our resources.

2. Introduction

2.1 Fife Health Charity is the operating name for the Fife Health Board Endowment Fund, which is a registered Scottish charity: SC011988. We are the strategic and official charity partner of NHS Fife. As the official NHS charity, we are the only charity dedicated to supporting all of NHS Fife's work for the people of Fife and the staff employed by NHS Fife.

2.2 Our charity aims to improve the physical and mental health of the people of Fife, through funding and grants that support projects and initiatives which meet our strategic objectives. Through our grant-making we want to work towards a **vision** of "A healthier future for the people of Fife". We have a clear mission and values that guide our work:

Mission: "We will use our grant-making to be supportive, bold, and innovative, making a difference for the people of Fife and NHS Fife staff: enabling them to live well and flourish"

Values:

- Ethics – We strive to meet the highest ethical standards, working with integrity to be fair and supportive.
- Learning – We strive for impact, support innovation and look to continually learn and improve.
- Partnership – We focus on positive outcomes we work in partnership to achieve our shared vision.

- 2.3 Our governing document is the National Health Service (Scotland) Act 1978, which designates Fife Health Board as a corporate Trustee of our charity. This means that the Trustees are, and can only be, the Board Members of NHS Fife. The 1978 Act means that our charity is legally responsible for all donations made to any ward, hospital or service within NHS Fife, as these donations cannot be made to the health board itself. The 1978 Act also provides the powers for the charity to raise funds in furtherance of our charitable objectives. As a charity, registered with the Scottish Charity Regulator (OSCR) all our activities must be in keeping with the requirements of charity law.
- 2.4 The Board of Trustees are solely responsible and accountable for all aspects of the governance and operations of the charity. The Board of Trustees is supported to execute its governance responsibilities by a Grants Committee and a Finance Committee. Each committee has delegated authority to take forward the charity's work in sustainably delivering our strategy and charitable purpose.
- 2.5 The Trustees are supported by the charity team, led by the Charity Director who has delegated responsibility for all aspects of charity operations and leads on the delivery of the charity strategy. The team can be contacted at fife.healthcharity@nhs.scot.

3. Guidance and regulations

- 3.1 This policy has been informed by and complies with current legislation, regulations and guidance and will be revised and updated in line with changes to the regulatory framework in which we operate. These include:
- [Charities and Trustee Investment \(Scotland\) Act 2005](#)
 - [The Charities and Benevolent Fundraising \(Scotland\) Regulations 2009](#)
 - [Charities \(Regulation and Administration\) \(Scotland\) Act 2023](#)
 - [Accepting, refusing and returning donations to your charity - GOV.UK](#)
 - [OSCR | Fundraising guidance for charity trustees](#)
 - [OSCR | Rights to refunds or to cancel agreements](#)
 - [Scottish Third Sector Governance Code](#)
 - [Chartered Institute of Fundraising - Guide to dealing with donations](#)
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In keeping with these, the foundational basis for this policy is that charity Trustees have a legal duty to put the interests of the charity first before any other interests and “*further your charity’s purposes... [as such the] starting point should be to accept and keep a donation offered or given to your charity. This is because donations are important to successfully delivering your charity’s purposes*” (Charity Commission, 2024)

“donations should only be rejected in exceptional circumstances, when it would be unlawful to accept it... 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.” (Chartered Institute of Fundraising)

4. Charity donations

4.1 We have identified that the following sources of donations are acceptable, insofar as they are in keeping with the objectives of the charity and insofar as they are compatible with the exclusions identified in section 4.6-4.7:

- Patients, relatives or visitors of patients
- Other charitable organisations
- Members of the general public
- Schools and community organisations
- Employees of NHS Fife
- Local authorities
- The business community (where their primary trading activities do not include the exclusions identified in section 4.7)

Fundraising activities in aid of the charity

4.2 Fundraising activities in aid of our charity are to be welcomed insofar as they are compatible with the provisions laid out in this policy. In Scotland there is a voluntary code of practice and set of standards which charities are expected to comply with. The Chartered Institute of Fundraising and Fundraising Regulator’s Code of Fundraising Practice sets out a range of obligations to which fundraising charities should adhere. The most relevant for our charity, in setting out on our fundraising efforts, is the distinction between people fundraising ‘on behalf of’ and ‘in aid of’ a charity. The [Chartered Institute of Fundraising](#) highlights that:

“The distinction between the different types of volunteer (fundraiser) establishes the role of the charity in overseeing the volunteers’ actions and activities, and determines who would be responsible if something went wrong.”

4.3 Fife Health Charity does not possess public liability insurance and at present will only encourage fundraising activities ‘in aid of’ our charity and not ‘on behalf of’. In keeping with requirements set in the Fundraising Code of Practice, where we become aware of volunteer fundraising activities in aid of our charity beforehand, we will tell ‘in aid of’ fundraisers that:

- *“they must use the expression ‘in aid of’ your Fife Health Charity when fundraising, to distinguish their fundraising from ours;*
- *they are responsible for organising all aspects of their fundraising and that Fife Health Charity (nor NHS Fife) will not accept any liability relating to their fundraising; and*
- *they can find information on how to fundraise legally and safely from the Fundraising Regulator”*

We will also advise fundraisers that they must be clear in their promotional material that they are fundraising in aid of Fife Health Charity and include our charity number (SC011988).

4.4 **The charity therefore requires all colleagues across NHS Fife, if they are made aware by potential donors about fundraising activities, to contact the charity to ensure compliance with this requirement.** This includes advising fundraisers that neither Fife Health Charity nor NHS Fife will accept liability for injury, illness, loss or damage arising from participation in the fundraising activity or any preparation undertaken prior to the activity itself.

4.5 The use of our name, logo/brand by external organisations in promoting their fundraising activities may require an agreed Memorandum of Understanding, in particular where there is a high likelihood of wider publicity and media coverage. There is a presumption towards approving requests for using our name and/or logo in relation to fundraising activities unless there is considered to be a risk of the donations being incompatible with the provisions of this policy. In such a case, the charity will advise the potential fundraiser at the earliest possible opportunity.

Fundraising partnerships

4.6 Where the charity enters in ‘fundraising partnerships’, a formal agreement will be established between the charity and third-party stipulating:

- the activities to be carried out by the third-party fundraiser and the agreed timescales that apply;
- any payments to be made to the third-party by the charity and how these will be calculated;
- copyright over any materials developed;
- managing and handling confidential information;
- the expected standards of behaviour of the third-party (and any sub-contractors) in representing the interests of the charity, including the requirement to adhere to the Fundraising Code of Practice; and
- agreed solicitation statements to ensure transparency in communications with potential donors.

Fife Health Charity will actively monitor the work of any third-party fundraiser to ensure compliance with the formal agreement.

Sources of donations

4.7 To comply with legal requirements, the charity will not accept any donation:

- Where the donation is specified as being for something outwith the charity's purposes
- From an illegal source
- Which would expose the charity to a legal claim
- Where the donor cannot legally gift this to the charity

4.8 In complying with the legal duties placed upon charity trustees and guidance with regards to accepting and refusing donations (albeit there is a presumption to accept donations), the Trustees have given consideration to potential sources of donations that would generally be refused by the charity. These include companies:

- Producing tobacco and vaping products
- Manufacturing alcohol products
- Producing armaments
- Providing pay day loan services or similar
- Which are known to have exploitative practices related to child labour and human rights

The Trustees recognise that there may be exceptions within this list.

As such any potential charity donation relating to one of these listed sources **must be directed to the Charity Director for a decision on accepting or refusing the donation before it is received** (via fife.healthcharity@nhs.scot). The process for making a decision is set out in section 5.

4.9 Taking into consideration the charity's governance relationship with NHS Fife, we have also identified that donations will be refused from any organisation in the following circumstances:

- where it would appear that NHS Fife or Fife Health Charity is endorsing or promoting any particular clinical, medicinal or other health-related product; and
- where it would appear that the organisation may seek to gain publicity or use the fact of a donation in any advertising or similar campaign that is not consistent with the aims and values of Fife Health Charity.

4.10 For the avoidance of doubt, under the term 'donations', the charity includes grants, proceeds and partnerships with organisations and individuals related to the list above.

4.11 This decision has been made on the basis that accepting donations from these sources would generally be incompatible with our objectives as a charity and would be detrimental to the charity's ability to pursue our objectives. We have considered detriment to mean the risk of:

- reputational damage that is considered likely to result in a loss of donations from other sources and funders which would be equal to the value of the refused donation;
- the loss of, or inability to recruit, charity staff and/or engagement with the charity from NHS Fife staff which is essential to the charity being able to deliver on our charitable objectives.

4.12 These exclusions are also in-keeping with the charity's Investment Policy Statement which sets out our ethical considerations for how the charity's funds are invested. At the charity's discretion, further industry sectors may be identified which are not acceptable to the charity. This will be on the basis of the reasonable view of the Trustees in considering the charity's objectives and risk of detriment. Where this occurs, this policy will be amended.

Donations which will incur additional costs

4.13 The charity will also give due to consideration as to whether a donation is acceptable where this will incur additional future costs to the charity or NHS Fife. Where such a donation will incur further costs to the charity itself, the decision will be made as per section 5. Where a donation will incur further costs to NHS Fife, advice will be sought from the NHS Fife Director of Finance (not in their capacity as a charity Trustee), or their appointed representative as to whether these future costs can be met from within NHS exchequer budgets. The final decision will then be made by the charity as per section 5.

In all circumstances where a charity donation is refused, a record of the decision will be kept by way of minuted meeting of the next available Finance Committee or Board of Trustees meeting.

General guidance on charity donations

4.14 When approached about a potential donation to the charity – this includes all donations to any NHS Fife ward, service or hospital – the following factors also need to be taken into account:

- Consideration must be given to donations from existing or future suppliers to NHS Fife. Such donations to the charity may be acceptable, if compatible with this policy, however it should be made clear that any such arrangements are completely separate from commercial transactions between NHS Fife and the company. To avoid any perception of impropriety, donations should not be accepted from commercial organisations during any tender process being carried out either by NHS Fife or the charity itself. Such donations can only be accepted once the tender process has been concluded.
- Special attention should be given to donations from patients or relatives. In particular nothing should be done which might appear to either put pressure on or offer inducements to patients or their relatives to contribute to the charity.
- Donors should be encouraged to donate funds on as general a basis as possible in order to maximise the flexibility and the benefit that our charity can derive through our grant-making.

Where a donor indicates a specific wish for how their donation is to be used, this must be discussed with the charity before accepting the donation.

This is to ensure the donation is in keeping with our charity's purpose and strategy in order to avoid a situation where a donation cannot be used for the donors intended purpose. **Charity law in Scotland prohibits the return of charity donations apart from very specific circumstances as defined in The Charities and Benevolent Fundraising (Scotland) Regulations 2009.** These circumstances are outlined below. Therefore in most circumstances once a donation is received by the charity it cannot be returned and if a donor-applied restriction means this cannot be used in line with our purpose and policies there is a risk the

donation will lie unused.

The process to follow for accepting donations can be found in Appendix 1 and in the charity's Financial Operating Procedures.

- 4.15 **All potential donations of £10,000 or more must be notified to the charity before being accepted to enable the appropriate due diligence checks to be carried out and ensure compliance with charity and other relevant legislation.**

Anonymous donations

- 4.16 We recognise that there are occasions where a donor may wish to remain anonymous. In these circumstances we must still ensure that the donation is acceptable to charity in accordance with this policy and carry out due diligence checking. If it is not possible to obtain the necessary information from the donor's representatives then a decision on accepting will be made by the charity's Finance Committee in accordance with its delegated responsibility for the charity's fundraising.

Returning donations and supporting vulnerable people

- 4.17 To comply with charity law, Fife Health Charity will only return donations in accordance with the 2009 Regulations.

Vulnerable people

- 4.18 The charity will follow the Chartered Institute of Fundraising's guidance on donations with regards to vulnerable people. Specifically, where we have:

"reasonable grounds for believing that a supporter lacks the capacity to make a decision, then a donation should not be taken. If a donation has already been made, and at the time of donating the individual lacked capacity (and the charity receives evidence of this) then the charity can and should return that donation, since the original donation was invalid."

(see p.13, CIOF, Guide to Dealing with Donations)

- 4.19 In instances where there is a reasonable belief that an individual is in a vulnerable circumstance then a donation should not be taken at that time. Equally where the charity becomes aware of signs that an individual may lack the capacity to make an informed decision, we will seek to identify appropriate support for the individual.
- 4.20 Where the charity is made aware, in advance, of fundraising activities in aid of Fife Health Charity, we will advise fundraisers of the need to be aware of their safeguarding responsibilities towards themselves, potential donors and one another and specifically as relates to children and those in vulnerable circumstances. If Fife Health Charity itself is undertaking fundraising activities, these will be carried out in line with safeguarding procedures and ensure that all activities are age-appropriate.

Donations made in error

- 4.21 OSCR provides clear guidance¹ on the circumstances in which donations may be refunded. Specifically this would be when a donor makes a request **in writing** to the charity within 7 days of the solicitation of the donation (and subject to minimum levels of donation).

Donations by Direct Debit

- 4.22 Any donation made to the charity that is shown to be an error by the donor's bank will be returned to the donor. Where donations are made via Direct Debit donors will have a 14-day cooling off period before the first donation will be processed. After this point, the donor will require to cancel the direct debit via their bank.

Failure of appeals

- 4.23 Where Fife Health Charity organises a fundraising appeal which fails to meet the required amount, the funds raised will be used to support the overall objectives of the charity as decided by the Trustees. From the outset of organising any such appeal, the charity will advise fundraisers of the primary purpose of the appeal and this wider secondary purpose.

Cancellation of fundraising activities or events

- 4.24 In the event that any fundraising activity or event organised by Fife Health Charity is cancelled, donors will be contacted to discuss rescheduling or a refund of any fees paid to the charity.

Data protection

- 4.25 The privacy and security of the personal information of our donors, supporters and all our stakeholders is extremely important to us. Our privacy policy explains how and why we use personal data, to make sure people stay informed and can be confident about giving us their information. This policy can be found on our [website](#).
- 4.26 Our privacy policy provides information on individuals' rights, including how this relates to consent for the charity to get in touch relating to fundraising and wider activities of the charity.

5. Decision-making

- 5.1 In recognising and fulfilling the legal responsibilities of charity Trustees, decisions with regards to refusing donations are not taken lightly. This policy provides the rationale for decision-making albeit it is recognised that there may be scenarios which arise where the policy content cannot be directly applied. In such scenarios, this policy will provide guidelines and principles to follow to support the charity's decision-making. **For the avoidance of doubt decisions on accepting or refusing donations are the responsibility of the charity and will not be made by NHS Fife.**

Levels of decision-making, timescales and process

- 5.2 Developing and maintaining positive relationships with charity donors is important to our charity and therefore decisions regarding donations should be made in a timely manner in accordance with this policy and regulations. Where a conflict arises between the charity's policy and regulations, the application of regulations will take precedence.

¹ See [OSCR | Rights to refunds or to cancel agreements](#)

5.3 On the basis that there is a presumption of accepting donations, a risk-based approach will be taken when deciding whether a donation from one of the sources that we have identified as ones we will not generally accept donations from should be refused. This will follow the charity's approach to risk management and consider both the likelihood and impact of detriment to the charity in accepting/refusing a donation. In keeping with guidance from the Chartered Institute of Fundraising, considerations of risk will be informed wherever possible by objective evidence of the likelihood and impact, and not subjective or personal views of individuals (internal or external to the charity). The following factors will be taken into consideration:

- Potential benefit to the charity in supporting our charitable objectives and people we are here to support.
- Potential harms to the charity which are detrimental to achieving the charity's purpose. This will take account of the potential that accepting or refusing the donation could lead to:
 1. greater financial loss based on a high likelihood of loss of other donations/income sources;
 2. the loss of, or inability to recruit, charity staff and/or engagement with the charity from NHS Fife staff which is essential to the charity being able to deliver on our charitable objectives;
 3. major reputational damage which is likely to lead to 1 or 2 above;
 4. loss of the charity's independence due to unreasonable donor demands; or
 5. unacceptable burdens on the charity.

Following this risk-based assessment, decisions will be made based on:

- Low risk – decision by Charity Director (or Charity Chair in their absence) within 3 working days
- Medium risk – decision by Charity Chair (or Vice Chairs in their absence) following advice/assessment by Charity Director within 3 working days
- High risk – decision by full Board of Trustees within 5 working days

5.4 To enable timely decision-making the details of the potential donation and risk analysis will be circulated by email for written responses from Trustees where required. A record of the decision and rationale will be recorded at the next available meeting of the Finance Committee (and then reported to the Board of Trustees) or directly to the Board of Trustees whichever comes first.

6. Complaints

6.1 Any complaints with regards to the application of this Fundraising and Donations Policy will be managed in accordance with the charity's Complaints Policy.

7. Data protection

7.1 The charity takes the protection of donors' personal data very seriously and manages this in accordance with our [Privacy Policy](#).

8. Good Fundraising Guarantee

- 8.1 As a statement of Fife Health Charity's commitment to uphold the highest standards in our fundraising and donations practices, the charity will register to display the 'Good Fundraising Guarantee' logo. You can find out more about this via the [Scottish Fundraising Adjudication Panel](#).

9. Appendix 1 – Process for accepting donations

We want to make it as easy as possible for people to make donations to Fife Health Charity. It is essential that the process for accepting donations is followed, in order that all charity donations received within NHS Fife can be properly accounted for.

Donations to NHS Fife are held on trust by the charity and must be managed and accounted for separately from exchequer funds and the normal running costs of the NHS Fife.

Accepting donations online

The charity has a Just Giving page, Fife Health Charity (<https://www.justgiving.com/faht>), where donations can be made electronically. Fundraisers can also link their own fundraising initiative to the Fife Health Charity page to raise money for Fife Health Charity, although we do ask all fundraisers to contact us before setting up any fundraising projects.

Accepting donations in person

If someone asks you about making a donation in person, it is really important that the proper process is followed. This protects you as the staff member taking the donation and ensures that Fife Health Charity Financial Operating Procedures are followed correctly. At any time there should be at least one member of staff on duty in each ward/department who is aware of the process to be followed when accepting a donation. Donations should be recorded using the 'Donations Received Form' which is controlled stationary, where each form is pre-numbered and administered by Ledger Control / Treasury within the NHS Fife Finance Directorate.

If someone tells you that they wish to make a donation, you can either:

- accompany the person to the Hospital Cashiers Office where they can deposit their donation and receive a receipt; or
- accept the donation in the ward/department by completing a Donation Receipt Form. This form is a three-part form which must be signed by the donor and two members of staff (at Section 4). The three-part form should be distributed as follows:
 - (a) The white copy is sent to and retained by cashier, with a copy sent to the charity team.
 - (b) The green copy given to the donor as a receipt.
 - (c) The pink copy retained by the ward/department in a separate sequentially numbered donation folder for a period of one year. This will be kept as a Fife Health Charity log book.

The Charity Team will use the information on the copy to issue a thank you letter. If accepting a donation in the ward/department, staff are responsible for ensuring that the full amount donated is deposited with the Hospital Cashiers (or Hospital Co-ordinator if out of hours). The two copies (white and pink) should be signed by the ward representative and the cashier/co-ordinator).

When the Donor is not present/ Donation is received by post

Donations behavior has changed post-pandemic and more donations are now being received by post. When this is the case then the donation **and** letter received should be taken to the Hospital

Cashier in order that a Donations Receipt Form can be completed. The Donations Receipt Form should still be signed by two members of staff (at Section 4) who, in doing so, are confirming that the donation amount being deposited matches the amount which was received.

The cashier should enter on the Donations Receipt Form that the donation has been received 'by post' or 'donor not present'. The cashier should then keep the donor's letter alongside the white copy of the donations receipt form. A copy of the letter should also accompany the white copy of the form in order that a thank you letter can be sent to the donor.

Recording of Donations Received

The Donation Receipt Form is scanned by the Cashier/ Facilities Officer and sent electronically to the Treasury department. Cashiers record the donations on a batch input sheet and will then bank the total donations for each batch into the Charity Income bank account. The batch summary will then be sent to the Treasury department and the batch total is recorded in the Charity cashbook.

Accepting Legacies

All gifts or donations of money arising from a Legal Agreement such as a Will or Deed of Covenant should be directed to the Charity Director. Any correspondence, telephone calls etc. must be re-directed to the Charity Director. Once the legacy has been finalised the charity will provide inform the ward/service the which has been bequeathed and any specific conditions. The Charity Finance Manager will receive copies of all necessary correspondence.

The importance of monitoring legacies is documented in Accounting and Reporting By Charities: Statement Of Recommended Practice 2015. Legacies are often materially large amounts which can have a significant impact on reported income in the financial year in which they are reported. They should also be disclosed in the financial statements as a debtor when there is sufficient evidence to provide the necessary certainty that the legacy will be received. This point is normally reached when the charity receives a letter from the personal representatives of the estate advising either that payment of the legacy will be made, or that the property bequeathed will be transferred. A legacy should therefore be monitored from the time when notification is received until its final receipt. This reiterates the importance of any initial correspondence being immediately re-directed to the Charity Director.

Claiming Gift Aid

Gift Aid tax refunds can only be claimed on donations made to the charity by individuals. The person donating must complete and sign the declaration on the Donation Receipt Form which in effect confirms that they are paying tax. This information is then collated by the Charity Finance Manager and an annual Gift Aid claim submitted to the HMRC.