

## A. Introduction

FIA is the professional body that represents fundraisers in Australia. In delivering its mission, FIA focuses on:

- Providing the best professional development programs to lead and educate fundraisers;
- Developing standards of practice to enhance the integrity and professionalism of fundraisers and the fundraising sector; and
- Advocating the value of fundraising to society and governments in order to empower fundraisers in their work in and with communities.

Fundraisers champion and promote fundraising as a profession. They maintain the highest standards of fundraising, engage in the work of FIA, commit to its mission and are at all times fully representative of the fundraising community. Ethical fundraising is vital to the professional fundraising industry if it is to provide its community with confidence for its cause.

The application of ethics in fundraising practice provides the fundraiser and the industry with the means to enter into ongoing relationships of trust with donors, supporters, volunteers and importantly also with the beneficiaries of funds raised.

FIA is required under its constitution to establish and maintain high standards of ethics for its Members.

Membership of FIA – at any level – is dependent on observance of the FIA Code of Practice. FIA enforces the Code, where necessary, by education programs for members, cautions and warnings, or by suspending or withdrawing membership rights and privileges.

FIA cannot impose any restrictions on organisations. However FIA encourages fundraisers of an Organisation who are not members of FIA to adopt the Code. FIA also encourages an Organisation to engage Fundraisers who have adopted the Code.

## **B. FIA's Principles of Fundraising Practice**

The following Principles have guided development of this Code. The Principles conform to the International Statement of Ethical Principles of Fundraising and serve to mark the aspirations of FIA. The Principles are:

- **Honesty:** FIA members should act honestly and truthfully so that public trust is protected and donors and beneficiaries are not misled.
- **Respect:** FIA members should act with respect for the dignity of their profession and their organisation and with respect for the dignity of donors and beneficiaries.
- **Integrity:** FIA members should act openly and with regard to their responsibility for public trust. They shall disclose all actual or potential conflicts of interest and avoid any appearance of ethical, personal or professional misconduct.
- **Compassion:** FIA members should work in a way that promotes their purpose and encourages others to use the same professional standards and engagement. They shall value individual privacy, freedom of choice, and diversity in all its forms.
- **Transparency:** FIA members should stimulate clear reports, about the work they do, the way donations are managed and disbursed, and cost and expenses, in an accurate and clear manner.

### **1. To Whom does this Code Apply?**

- 1.1 This Code of Practice applies to Fundraisers throughout Australia only. FIA will only monitor this Code and enforce it if necessary against a Fundraiser who is a member of FIA.
- 1.2 This Code does not apply to an Organisation.
- 1.3 This Code does not replace nor override any law.

## 2. Definitions used in this Code you need to be aware of

- 2.1. **Fundraising Appeal** means a representation to the public by an Organisation seeking a Donation that has a defined area and time period.
- 2.2. **Beneficiary** means a person who receives material benefit from an Organisation as the sole consequence of that Organisation's Objects.
- 2.3. **Code** means this Code of Practice and subsequent amendments endorsed by the Board of FIA.
- 2.4. **Donor** means an individual or other entity that makes a contribution of value to an Organisation to further the Organisation's Objects. A Donor does not include an individual or entity that engages with an Organisation for the purpose of trade.
- 2.5. **Donation** means a material contribution of value made by a Donor to an Organisation to further the Organisation's Objects. For the purposes of this Code 'Donation' includes any money, goods or time, sponsorship or community-business partnerships where that money, goods or time, sponsorship or community-business partnership is donated to an Organisation by a Donor with the intention to further that Organisation's Objects.
- 2.6. **Fundraiser** means an individual registered with the Fundraising Institute of Australia as a member.
- 2.7. **Objects** means the objective, purpose or cause however so defined in an Organisation's constituent documents.
- 2.8. **Organisation** means the recipient of a Donation from a Donor.
- 2.9. **Promotion Materials** means any material regarding a Donation or an Organisation whether in printed, electronic or oral form made available to a member of the public.

### **3. Disclosure of Donations and Costs to an Organisation**

- 3.1. Prior to undertaking fundraising work for an Organisation a Fundraiser must not:
- (a) guarantee fundraising results or promise compensation for failure to achieve fundraising results to the Organisation;
  - (b) misrepresent past fundraising achievements by the Fundraiser to the Organisation; and
  - (c) hide from the Organisation any cost of fundraising that they are aware of.
- 3.2 A Fundraiser must not commit an Organisation to fundraising expenditure unless the Organisation has approved such an expenditure as a cost effective investment.
- 3.3 A Fundraiser must:
- (a) fully and accurately disclose to an Organisation all Donations received and all costs incurred by a Donation program under the Fundraiser's control, including where possible a proportion of overhead costs; and
  - (b) encourage such disclosure by Organisation affiliated entities (for example state divisions, chapters, branches and auxiliaries).

#### 4. Use of Promotion Materials

- 4.1 A Fundraiser must ensure that any Promotion Material used by them to solicit a Donation from a prospective Donor;
- (a) is factually accurate, truthful and not likely to mislead a prospective Donor;
  - (b) includes a clear description of programs and activities for which a Donation is requested;
  - (c) identifies the Organisation in the manner required under section 5 of this Code;
  - (d) complies with the *Trade Practices Act 1975* (Cth) and State Fair Trade Acts, in particular those sections relating to misleading and deceptive conduct and false and misleading representations; and
  - (f) is approved by the Organisation prior to any solicitation by the Fundraiser on its behalf to a prospective Donor.
- 4.2 Where a Fundraiser discloses a cost of fundraising in Promotion Materials that cost must be factually accurate.
- 4.3 A Fundraiser must make the current annual report of an Organisation for whom they represent freely available upon a reasonable request by a Donor.
- 4.4 Despite anything else in this section Promotion Materials may be part of a positive campaign by a Fundraiser to build public awareness, understanding and support for the Objects of an Organisation.

#### 5. Organisation Identification

- 5.1 Wherever identification of an Organisation is required by this Code a Fundraiser must provide that Organisation's:
- (a) Full name;
  - (b) Corporate registration number [for example ABN];
  - (c) Full business address; and
  - (d) Logo (if any).

## 6. Confidential Information

- 6.1 A Fundraiser must not disclose to any member of the public an Organisation's:
- (a) financial information (other than that disclosed in an Organisation's annual reports);
  - (b) security access codes or passwords into electronic data processing systems; and
  - (c) list of Beneficiaries;
- without the prior written permission of the Organisation.
- 6.2 Despite anything else in this Code where a Donor or prospective Donor has expressly denied permission to an Organisation to do so, a Fundraiser must not disclose the identity of that Donor or prospective Donor to any member of the public.
- 6.3 A Fundraiser must surrender any list, record or document belonging to an Organisation other than material freely available to the public, when the relationship between the Fundraiser and the Organisation comes to an end.

## 7. Dignity and privacy of Beneficiaries

- 7.1 Fundraisers must not threaten the dignity and privacy of a Beneficiary of an Organisation. For the purposes of this section a threat to the dignity and privacy of a Beneficiary includes, but is not limited to:
- (a) a Fundraiser passing a comment unnecessarily or negatively on the impairment, dependency or disability of a Beneficiary;
  - (b) a Fundraiser using language which suggests that the client is to be pitied or feared;
  - (c) a Fundraiser using children on Promotion Materials to raise funds for adult services, giving the impression that the clients are childlike;
  - (d) a Fundraiser stating or implying a falsehood regarding a Beneficiary; and
  - (e) a Fundraiser depicting a Beneficiary's image or identity in Promotion Materials without that Beneficiary's written permission.

- 7.2 Despite clause 7.1 a Fundraiser may use a term in relation to a Beneficiary where that term:
- (a) is technically correct;
  - (b) is used only for the purposes of describing an impairment or disability that affects a Beneficiary; and
  - (c) does not identify a particular Beneficiary without their express, written permission.

## **8. Compliance with national laws**

- 8.1 A Fundraiser must not engage in an activity during their fundraising work that reasonably appears to the Fundraiser to be a criminal offence or would constitute professional misconduct under this Code.
- 8.2 A Fundraiser must not engage in an activity during their fundraising work that does not comply with fundraising legislation in their State.
- 8.3 Where a Fundraiser is aware that an Organisation they work for does not comply with a law, the Fundraiser must try to bring this fact to the Organisation's attention in a manner that they think is appropriate for the situation.