

# Good fundraising practice (general clause)

Fundraising campaigns covered by the Danish Fundraising Act etc. must be conducted in accordance with good fundraising practice; see section 8 of the Act. The above applies irrespective of whether or not a fundraising campaign is specifically subject to notification to the Danish Fundraising Board.

The recruitment of members by a charity, conducted in person or by telephone, must also be in accordance with good fundraising practice; see section 1(2) of the Act.

The Danish Fundraising Board enforces the guidelines for good fundraising practice and decides whether in a specific case good fundraising practice has been breached.

The Danish Fundraising Board may publish criticism as well as order a fundraising organisation or charity to publish it.

The guidelines for good fundraising practice have been prepared by the Danish Fundraising Board in accordance with section 19(2) of the Executive Order on Fundraising.

The guidelines are expected to be adjusted regularly as the case law of the Danish Fundraising Board is developed. For the present, the Board has prepared the following:

## Guidelines for good fundraising practice

14 July 2014

### **Purpose etc.**

The guidelines are intended to give donors and people not wishing to make donations a form of security that fundraising campaigns proceed in an orderly manner, including that no one is pressured or offended, but make donations voluntarily, so that donors will not subsequently have reason to regret their donation.

Donors must also have security that the donations made are actually spent on the purpose for which they are collected.

Moreover, a "healthy" and ethically well-functioning fundraising market is conducive to the possibilities and conditions for the activity of fundraising organisations and other fundraisers, and confidence in the fundraising organisations is also increased.

The same views apply to the recruitment of members by charities.

The guidelines are an expression of what should be common procedure in the area and are normative for the procedure and behaviour that should generally be followed.

The guidelines include general principles for good fundraising practice, respect for the donors' integrity and freedom of action, publicity and openness about purpose, management and finances as well as financial and legal matters.

Guidelines marked with \* do not apply to the recruitment of members by charities; see clause 27.2.

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## **Contents**

General

Contact to donors (members of the public)

Requirements for the fundraising organisation

Requirements for the fundraising campaign

Relations to other fundraising organisations

Recruitment of members by charities

## **General**

### **1. Definitions**

*Donor:* A physical person (member of the public) who makes a donation, has made a donation or is invited to make a donation.

*Fundraising organisation:* A legal person with a CVR number or (at least three) physical persons responsible for a fundraising campaign. In this connection, the fundraising organisation is responsible for compliance with the guidelines for good fundraising practice.

*Representative of the fundraising organisation:* A physical person who on behalf of the fundraising organisation has personal or telephone contact with a donor in connection with a fundraising campaign.

*Fundraising campaign:* Any invitation to make a donation for an already given purpose.

*Recruitment of members:* Personal or telephone contacts by an aid organisation or the like to a physical person with a view to getting the person to become a member or provide long-term support, and where the member or a person with a similar relation to the organisation receives consideration from the organisation for his membership fee or the like; e.g. a member's magazine and access to general assemblies.

### **2. Other legislation etc.**

2.1 The fundraising organisation must comply with the fundraising rules. (Fundraising Act etc. and Executive Order on Fundraising etc., including the rules on notification of and information to the Danish Fundraising Board as well as on submission of financial statements to the Danish Fundraising Board, and the Executive Order on Rules of Procedure for the Danish Fundraising Board and guidelines/terms laid down by the Danish Fundraising Board.)

2.2 The fundraising organisation must comply with other Danish legislation, human rights obligations etc.

2.3 The fundraising organisation must comply with other rules/terms etc. laid down by local authorities and the police as well as by other authorities.

### **3. General principles for good fundraising practice**

3.1 Respect must be shown for the donor's integrity and freedom of action as well as for the integrity and freedom of action of other charities and fundraising organisations.

3.2 There must be openness about the purpose, management and finances of the fundraising organisation.

3.3 There must be reliability and openness about the purpose of the fundraising campaign and the use of the funds collected.

### **Contact to donors (members of the public)**

#### **4. Proof of identity**

4.1. When contacting a donor, the representative of the fundraising organisation must always wear visible proof of identity with the name and logo of the fundraising organisation as well as his or her own name.

#### **5. Regarding house-to-house collections \***

5.1. The representative of the fundraising organisation must respect privacy.

5.2. The representative of the fundraising organisation must not cross the donor's doorstep without the donor's acceptance.

#### **6. Regarding street collections**

6.1 Street collections must only be conducted in areas with ordinary public traffic.

6.2 The representative of the fundraising organisation must not carry out collections in private areas or at private addresses, including in cafés and shopping areas, without the prior permission of the owner or the owner's representative.

6.3 The representative of the fundraising organisation must not cause inconvenience to the business owners and must not stay in front of a shop or a café for an extended period of time.

6.4 The representative of the fundraising organisation must not impede the passage of traffic in the street and must not "join company with" a donor without his or her acceptance.

## **7. Regarding about telephone fundraising**

7.1 The representative of the fundraising organisation must respect any wish from the donor to break off a conversation.

7.2 On request, the donor must be informed of how he/she has been selected and what criteria formed the basis for the selection, e.g. on the basis of former contact or segmentation.

## **8. The donor must be treated politely and with respect**

8.1 The conversation should be opened by the representative of the fundraising organisation presenting the fundraising organisation and the purpose of the conversation/contact. Moreover, the representative may introduce him-/herself.

8.2 The conversation should be ended politely and when the donor so wishes.

8.3 The representative of the fundraising organisation must have general knowledge about the fundraising organisation and be able to inform the donor about this as well as where additional information can be found.

8.4 The representative of the fundraising organisation must be able to inform the donor about the use of the funds collected.

8.5 The representative of the fundraising organisation must on request be able to give the donor the name and contact information of a contact person with the fundraising organisation.

8.6 The representative of the fundraising organisation must on request state whether he/she is paid or works on a voluntary basis.

## **9. The donor's wishes must be respected**

9.1 The donor's wish to be exempted from written or telephone contacts – both in the situation and subsequently – must be respected.

9.2 The donor must have the option of being anonymous to the fundraising organisation.\*

9.3 Any conditions the donor may have for making a donation must either be respected or the donation must be refused. The donor cannot subsequently attach conditions to donations without the acceptance of the fundraising organisation.\*

## **10. Donations must be made on a voluntary basis**

10.1 If there is doubt about whether a donation has been made voluntarily, the donation should be refused.

10.2 Manipulation, pressure etc. must not be used in fundraising campaigns.

10.3 Errors committed by a donor must not be exploited by the fundraising organisation.

10.4 A donor's vulnerability must not knowingly be abused, e.g. in the event of the death of a close relative.

10.5 Special caution and restraint should be exercised when collecting from minors.

10.6 Special caution should be exercised when collecting from persons who are under the influence of alcohol or other intoxicants as well as from the mentally ill.

10.7 When collecting from groups, the fundraising organisation or its representative must be aware that social pressure may impact on the voluntariness of the individual person.

10.8 A request for a donation or the like, including in connection with the reception of non-ordered goods or articles must not be accompanied by an invoice or anything that can be mistaken for an invoice. The above applies irrespective of whether the article is a gift that may be kept, thrown away or returned according to the recipient's wish.

## **11. Information about donors must be treated as confidential**

11.1 Personal data about donors must be treated as confidential and in accordance with the provisions of the Danish Data Protection Act.

11.2 Fundraising organisations must maintain good "data hygiene" (delete incorrect and incomplete information) to ensure that data about the donor is correct and that it reflects the donor's preferences for communication.

11.3 Information about donors should only be kept as long as necessary. The fundraising organisation must not keep registration of the donor's account number etc. after a payment agreement has been established, unless continued registration serves a relevant and proper purpose.

11.4 A donor's contact information must not be published or disclosed to others, including other fundraising organisations, or be used for any other purpose without the donor's acceptance.

11.5 If a fundraising organisation wishes to mention a donor by name and addresses or other identifying information, the donor's prior acceptance must as far as possible be obtained.

## **Requirements for the fundraising organisation**

### **12. Information about the fundraising organisation**

12.1 The name, address, telephone number and any logo of the fundraising organisation as well as the general purposes of the fundraising organisation must always appear from the fundraising material.

### **13. Openness about the basis, bylaws etc. of the fundraising organisation**

13.1 The basis and bylaws of the fundraising organisation must be publicly available.

13.2 Information as to whether board members work voluntarily or are paid by the fundraising organisation must be publicly available.

#### **14. Openness about other obligations of the the fundraising organisation**

14.1 On request, the fundraising organisation must provide information about any local, national and international obligations.

#### **15. Correct and available information from the fundraising organisation**

15.1 Information from the fundraising organisation or the representative of the fundraising organisation must neither directly nor indirectly be misleading through inaccuracy, ambiguity, exaggeration or the like.

15.2 Information from the fundraising organisation must be easily understandable and easily accessible.

15.3 Images and text must be relatable to the purpose of a fundraising campaign.

15.4 The fundraising organisation must be able to justify the use of any offensive or shocking images and to warn about such material.

15.5 People must be described with dignity in text and images.

15.6 Fundraising material must not indicate that the funds collected go to a specific purpose if the funds may be used for another purpose or for the general purposes of the organisation.

15.7 If reference is made to an example story, it must be clear that it is an example. There must be close connection between the example stories used and the purpose for which the fundraising is made. Prior permission from any affected persons should as far as possible be obtained.

15.8 It must be possible to obtain information about the fundraising methods used by the fundraising organisation; e.g. e-mail, collect, telemarketing and inserts in magazines. There is no obligation to state dates, numbers or the like.

#### **16. The scope of contacts made by the fundraising organisation**

16.1 The fundraising organisation should not burden the donor with a disproportionate number of contacts.

#### **17. Regarding telephone inquiries**

17.1 The representative of the fundraising organisation must endeavour not to call a donor, who has asked not to receive any telephone calls from the fundraising organisation or in general.

#### **18. Agreements with the seller before fundraising by sale \***

18.1 The fundraising organisation must ensure that a reasonable minimum amount has been agreed in relation to expected sales.

18.2 The fundraising organisation must ensure that the way in which profit is calculated has been agreed in writing with the enterprise, so that no doubt arises about the share of profits.

18.3 The fundraising organisation must ensure that the final beneficiary will receive the amount collected.

## **19. Financial reporting**

19.1 The financial statements of the fundraising organisation must be clear, transparent and specified. They must be understandable to anyone, irrespective of whether they are the annual report/financial statements for the year or financial statements for a single fundraising campaign.

## **20. Partnerships**

20.1 Any partners of the fundraising organisation (businesses or others that collect funds on behalf of or cooperate with a fundraising organisation, e.g. in connection with the sale of goods and recruitment of members) must follow the guidelines for good fundraising practice in the same manner as the fundraising organisation.

## **21. Complaints about the fundraising organisation**

21.1 On its website (with a link to the Danish Fundraising Board) or – if the fundraising organisation does not have a website – in any other information material, the fundraising organisation must provide information about the possibility of complaining about the fundraising organisation to the Danish Fundraising Board.

21.2 On request, the representative of the fundraising organisation must inform the donor about how to complain to the Danish Fundraising Board.

## **Requirements for the fundraising campaign.**

### **22. Collected funds/objects \***

22.1 All funds must be used to achieve the purpose of the fundraising campaign. Administrative expenses must be limited as much as possible.

22.2 If the wording "All funds collected go to", the full collected amount must go to the purpose stated, and this must be evidenced in the financial statements.

22.3 The fundraising material must clearly state whether the fundraising is for a specific predetermined purpose (project/activity) or for the benefit of the general purposes of the organisation.

22.4 The collected funds must add actual value to the fundraising campaign.

22.5 If a donation, including a gift, article or service, can not be used for the fundraising campaign, it should be refused.

22.6 If the costs of accepting a donation is not commensurate with the size of the donation, it should be refused.

### **23. Information about the fundraising campaign \***

23.1 Relevant, truthful and easily understandable information about the purpose of the use of the collected funds must be publicly available.

23.2 When raising funds for a specific purpose, the fundraising organisation must, through a project description or in a similar manner, provide information about for whom, where, when and how the funds collected will be used. Reference should be made in short front material to where additional information about the project can be found.

23.3 If examples of projects are mentioned to illustrate the general purposes of the fundraising organisation, it must be clear that they are examples.

23.4 Mention, names, illustrations etc. of no relevance to the fundraising campaign must not be used.

23.5 If there is any uncertainty as to whether the purpose of a fundraising campaign can be achieved, information to this effect must be provided, as well as information about the use of the funds if the purpose is not achieved.

23.6 If there is a minimum target for a fundraising campaign, information must be provided on the use of the funds if the minimum target is not reached.

23.7 If a maximum amount has been fixed in advance for a fundraising campaign, information must be provided about how any excess amount will be used.

23.8 Any information material should state that financial statements for the organisation/fundraising campaign will be published on the website of the Danish Fundraising Board and – if the fundraising organisation has a website – also on the website of the fundraising organisation.

### **24. Fundraising through sale \***

24.1 In the event of fundraising through sale, information must be provided as to whether there is an additional charge to the article or whether the enterprise finances the donation. In connection with the purchase of the article at the latest or directly on the product, information must be provided about what is donated, and where additional information about the fundraising campaign can be found.

24.2 In the event of fundraising through sale, the fundraising material must state the percentage of the sales price/sales/profit that goes to the fundraising campaign.



24.3 In the event of fundraising through sale, the fundraising material must state the minimum amount that accrues to the fundraising organisation in case of loss on the sale. It must also be emphasised that the fundraising organisation cannot secure itself against bankruptcies etc.

24.4 If clothes, things etc. collected do not go directly to the beneficiaries of the fundraising campaign, but are sold with a view to earning money for the use of the beneficiaries, this must be clearly stated.

## **25. Joint fundraising projects – when more fundraising organisations join forces \***

25.1 The contact information of all fundraising organisations must appear from the fundraising material.

25.2 If the fundraising organisations have a joint fundraising secretariat, it is sufficient that the names and logos of the fundraising organisations as well as the contact information of the secretariat appear from the material.

25.3 The fundraising organisations must agree in advance how the funds raised are distributed. (Basis for distribution.) The information must be publicly available.

25.4 Information about the purpose for which individual fundraising organisations will use their share of the funds raised must be publicly available.

## **Relations to other fundraising organisations**

### **26. General behaviour towards other fundraising organisations**

26.1 A fundraising organisation and the representative of a fundraising organisation must in all their activities exhibit good loyal behaviour and respect towards other fundraising organisations and their representatives.

26.2 A fundraising organisation and the representatives of a fundraising organisation should always treat other fundraising organisations and their representatives as the fundraising organisation and its representatives wish to be treated by them.

26.3 A fundraising organisation and its representatives must not denigrate other fundraising organisations or their representatives.

## **Recruitment of members by charities**

### **27. General guidelines on the recruitment of members**

27.1 The guidelines stated above apply correspondingly to the recruitment of members by charities by personal or telephone contact; but see clause 27.2.

27.2 The guidelines stated under clause 5, under clauses 9.2 - 9.3, under clause 18 and under clauses 22. – 25. (marked with \* ) do not apply to the recruitment of members by charities.

## **28. Specific guidelines on the recruitment of members**

28.1 Charities should coordinate street campaigns with other organisations and other campaign activities so that the streets are not overburdened.

28.2 Charities should only take minors as members with the acceptance of the minor's guardian.

28.3 When an agreement on membership etc. is made, it must be ensured that the member receives correct and full information about the agreement. The member must be informed about terms of payment, cooling-off rights as well as relations to and subsequent communication with the fundraising organisation. The above should be ensured by summing up the contents of the agreement at the end of the contact. The member must also receive information about procedures on withdrawal. All information must be clearly stated on the website of the fundraising organisation.

28.4 Charities must not accept money in connection with recruitment in the street.

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