



Ethical Fundraising Policy

Curve or Curve Theatre, Leicester are the trading names of Leicester Theatre Trust Limited (LTT) a registered charity, no: 230708

Policy Owner	Director of Fundraising	
Audience/who does policy apply to	Stakeholders, donors, prospective donors Staff or Workers to include employees, casual workers, actors, musicians, creatives, freelancers, consultants, agency workers and volunteers	
Legislation and reference documents	<u>Internal</u> <ul style="list-style-type: none">Equality, Diversity and Inclusion (EDI) Policy	<u>External</u> <ul style="list-style-type: none">Fundraising Regulator's Code of Fundraising PracticeCharity Commission
Approved by	Business Development Committee (BDC)	
Review period	Every year	
Date last Reviewed	June 2023	
Next Review date	October 2024	

1 Curve's Mission, Key Values & Commitments

OUR MISSION

Curve is a leading producing theatre located in the heart of Leicester's Cultural Quarter. We are dedicated to making and programming world class performances for everyone who lives, works and learns in our unique city and beyond.

OUR KEY VALUES

At the heart of our theatre is an exceptional team. We celebrate our differences, but we all share the core values:

- **Creativity**

Nurturing imagination and talent to produce excellence.

- **Community**

Working together to enrich the lives of our audiences, communities and the people around us.

- **Respect**

Valuing the qualities, opinions and experience of those around you.

- **Trust**

Believing in what we do, the people we do it with, and the work we create.

- **Inspire**

Encouraging people to achieve extraordinary things.

OUR KEY COMMITMENTS

- **Environmental Responsibility:** We will reduce the environmental impact of our artistic programmes, administrative systems and building operations through a cross-organisational approach to climate change. We will establish an industry-wide reputation as a 'green theatre' with a firm commitment to positive change and improvement.
- **Access:** We warmly welcome all customers to Curve and offer a range of access performances and services to ensure an enjoyable time with us.
- **Equity, Diversity, and Inclusion (EDI):** We will build on our strong foundations to ensure our work, our teams and our audiences better reflect the people and diversity of Leicester and Leicestershire, with a focus on communities from Black, Asian and ethnic diverse backgrounds or those from low socio-economic backgrounds.

2 Purpose of this Policy

The purpose of this document is to ensure that all funding relationships, current and future, align with these key values. This policy will be used by anyone involved in fundraising for Curve to support decision-making and provide guidance on how to move forward with transparency. It is also for our stakeholders to understand the rationale behind our decisions.

This policy and our activities will be reviewed at least once a year, which may necessitate updates.

3 Definitions

Curve gratefully receives funding from a number of sources. This policy refers to:

- Donors: referring to philanthropic sources including individual donors, companies and groups
- Sponsors: referring to companies which share our values and support us philanthropically and, in some cases, to more commercial and transactional association with companies, including receiving Gifts in Kind
- Grant giving bodies: both statutory (Arts Council England and Leicester City Council) and non-statutory (trusts and foundations)
- Partners: referring to cultural partners including venues, organisations, festivals and networks

4 Gift Acceptance Procedure

4.1 Acceptance Criteria

- Does the relationship align with or aspire to our key values?
- Does it positively reinforce the reputation and integrity of Curve?
- Does it encourage the creativity and growth of our work?
- Does it support future fundraising endeavours and provide an opportunity to build a fruitful relationship?

4.2 Decision Making Process

If the gift source raises any concerns amongst the Fundraising Team, the matter will be escalated to the Executive Team and/or the Business Development Committee, who will make a final decision.

4.3 Due Diligence

Due diligence is a process which ensures Curve satisfies legal and ethical obligations. Curve will take the due diligence steps outlined in the Charity Commission's [Know Your](#)

[Donor](#) guidance, on all support valued at £10,000 and above. This includes donations from individuals, in-kind support from other organisations, funding from trusts and foundations, and unsolicited donations.

Careful due diligence will help us to:

- Avoid conflicts of interest or values
- Guard against legal and reputational risk
- Make informed decisions that align with our vision and mission for the long-term
- Robustly justify our reasons for accepting or declining a gift
- Hold ourselves accountable for funding decisions

Donors' right to remain anonymous will be respected, but full details related to their gift will be recorded onto our secure database. Where a donation is made anonymously, the Fundraising Team will seek to confirm the identity of the donor(s); where this is not possible, and funds cannot reasonably be returned, a decision should be made by the CEO as to where this money should be held. For the avoidance of doubt, we recognise specifically that legitimate giving vehicles (such as Charities Aid Foundation) are often used to protect donors' identities. Gifts from these intermediary organisations, who have completed satisfactory due diligence, will be accepted on that basis.

In line with Charity Commission guidance, if a donation of £20,000 or more is received from an unknown or unverifiable source, it is to be reported to the Charity Commission as a serious incident.

We recognise that sometimes organisations or individuals set up donations or programmes with the purpose of making otherwise unethical activity appear ethical, or to distract from unethical activity – this may be called greenwashing or culture-washing. We will not knowingly accept support from these sources. However, where a donor, sponsor or partner is proven to be taking real steps to invest in our key commitments following a genuine shift in priorities, this will be taken into consideration. Our Company Values and Key Commitments will be specified in all letters of acceptance and agreement.

Curve has a legal obligation to ensure compliance with UK government sanctions against certain countries and individuals. Detailed and up to date information can be found [on the Government's website](#).

4.4 Gift Refusal Criteria

Curve will not knowingly accept any funding from organisations or individuals directly involved in activities that run contrary to our overall charitable objectives, values or commitments. We will not accept support or partnerships with sources currently involved with:

- Activities which promote environmental damage and unsustainable living or undermine our commitment to environmental responsibility
- Human rights abuses or activities which undermine our commitment to EDI
- Military contracts or arms production
- Animal testing for non-medical commercial activities
- Gambling
- Money laundering, tax evasion or any other illegal activity

Or where:

- Association with a donor, sponsor, grant giving body or partner could otherwise pose a reputational risk to Curve and/or risk discouraging donors, audiences, or participants
- Association with a source would discourage or prevent future fundraising success
- The cost of servicing the support is greater than its value
- The support consists of goods, services or property that Curve cannot lawfully use, convert, exchange or sell in support of our charitable activity
- We are made aware that the source has publicly or privately expressed discriminatory behaviour or holds discriminatory beliefs on the basis of race, gender, disability, sexual orientation, religion, culture, immigration status or any other aspect of identity
- Accepting could in any other way conflict with Curve' objectives or values

We acknowledge that issues of indirect and historical involvement or association can be complex to identify and understand. Following rigorous due diligence research, historical or indirect involvement with any of the activities or instances listed above may also be grounds for refusal, but this will be ascertained on a case-by-case basis.

When seeking to raise funds from charitable trusts and foundations, we recognise that simply because these have been registered with the Charity Commission, it does not mean that they are ethical givers. We therefore will not accept money from any charitable trust where its source funding runs contrary to our aims, or if it is a requirement of grant receipt to advertise any company or organisation whose activities run contrary to our aims.

Curve recognises that, in accepting funding from statutory bodies, we must consider the policy implications and obligations that might be tied to it and will assess whether these contravene our aims.

- 4.5 Just as we will seek to avoid association with those whose activities fall into any of the above, we will preferentially seek support from sources who align with our values, have good track-records and actively pursue equity and ethical excellence.

Vulnerable people

If any staff member has reasonable grounds to believe that a supporter lacks the mental capacity to make a fully informed and clear decision – in line with their true intentions – then a donation should not be accepted.

If a donation has already been made, and evidence is brought forward that the individual lacked capacity at the time of donating (for example, they had a diagnosis of dementia) then we will return that donation to the individual.

- 4.6 If it is less clear, and no evidence can be brought forward, that an individual lacked mental capacity, and claimed to be vulnerable, the CEO and/or the Business Development Committee will have the final say on subsequent actions.

Returning a donation that has already been accepted

We will think carefully when reviewing whether to retain or return a donation that has already been accepted. We should be able to clearly demonstrate how and why a particular decision has been made, with sufficient evidence to reinforce the claims.

Once a charity has accepted a donation it can return it:

- 1) If agreed Terms and Conditions of the gift provide for it to be returned in certain circumstances;
- 2) Where the law specifically provides for the gift to be returned in certain circumstances; or
- 3) By way of an 'ex-gratia payment' (a payment made as a result of a compelling moral, but not legal, obligation). *This type of donation return would only be permitted where the charity has received an order from the Charity Commission for England and Wales.*

5 Roles and Responsibilities

Specific responsibilities for ethical fundraising have been allocated as follows:

- (a) CEO and Director of Fundraising (the **Fundraising Team**)
 - (i) collectively responsibility for monitoring adherence to the ethical fundraising policy;
 - (ii) identification of risks;
 - (iii) establishing the Charity's ethical fundraising policy and processes and providing for these to be communicated to, and understood by, relevant staff;
 - (iv) reviewing the effectiveness of the Charity's ethical fundraising procedures;
- (b) Trustees - the Trustee with lead responsibility for ethical fundraising is Jeremy Parr as Chair of the Business Development Committee (the **Lead Trustee**) who should
 - (i) seek assurance that the Charity's values and commitments are being upheld;
 - (ii) be mindful of the risk to the reputation of the Charity from not adhering to the ethical fundraising policy;
 - (iii) seek assurance from the Fundraising Team that appropriate strategic fundraising procedures are in place;
 - (iv) conduct an annual review, or more frequent if required, of funding relationships;
- (c) Staff
 - (i) all relevant staff should be aware of the importance of ethical fundraising;
 - (ii) there should be formal channels of communication both up and down to identify and manage concerns.

6 Feedback

We welcome discussion and are committed to ensuring best practice, transparency and providing the highest standards of fundraising. As part of this we are registered with the [Fundraising Regulator](#), an independent regulator of charity fundraising. We regularly review and take account of the [Fundraising Regulator's Code of Fundraising Practice](#).

If you have any questions or comments, including any formal complaint, regarding our fundraising practice, please get in touch with our Director of Fundraising via:

fundraising@curvetheatre.co.uk or call 0116 242 3560. Alternatively, please send a letter to our Director of Fundraising at Curve Theatre, Rutland Street, Leicester, LE1 1SB. Your feedback will help us improve our fundraising in the future.

You will receive acknowledgement of your feedback within one week, and you may be contacted to obtain any additional information that we may require to help us respond. Where possible, the Director of Fundraising will resolve the matter, but it may be necessary to involve other members of ET or BDC. You will receive a response to your feedback within a reasonable period following its receipt.

If you are dissatisfied with the response, you can state this in writing to our CEO at Curve Theatre, Rutland Street, Leicester, LE1 1SB. The CEO will review the response and decide if further action is required, then will send a final response within a reasonable period.

If you remain dissatisfied, you can refer your complaint to the Fundraising Regulator. You can contact the Fundraising Regulator via their [online complaints process](#) or in writing to: Fundraising Regulator, 2nd Floor, CAN Mezzanine Building, 49-51 East Road, London, N1 6AH. Or by phone: 0300 999 3407.

7 Monitoring Fundraising Feedback

Feedback is monitored and reported to our CEO and/or our Business Development Committee on a quarterly basis. We keep a record of the number of complaints received and include these in our Annual Complaints Return to the Fundraising Regulator. This does not contain any personal information, but enables the Regulator to use the data charities submit to produce a report about complaints across the charity sector.

8 Removing Fundraising Communications

People can also choose to stop all fundraising communication from us, via the Fundraising Preference Service here <https://public.fundraisingpreference.org.uk>.



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