



PART A: FUNDRAISING POLICIES

Gift or Donation: For the purposes of this policy, “gift” and “donation” are understood to mean the same thing, that is a voluntary transfer of cash or in-kind goods to AIDS Committee of York Region (ACYR), without expectation of a tangible return.

An exception to the above is in the case of membership fees for which the member receives only the right to vote and receive public documents on ACYR activities.

Policy 1: Gift Acceptance

ACYR accepts gifts from individuals, corporations, foundations, government agencies or other entities that shall be used to further ACYR’s mission, strategic plan and program goals.

ACYR accepts both outright and deferred gifts.

ACYR encourages donors to make undesignated and unrestricted gifts whenever possible to allow ACYR to direct donations to the areas and programs of greatest need.

ACYR does not condone, by accepting a gift, the product, service or philosophy of the donor.

i. Outright Gifts

Outright gifts are:

- cash or equivalent including cheques, credit cards, and online donations through CanadaHelps;
- securities (stocks and bonds);
- in-kind gifts including tangible personal property and real estate.

Securities: Gifts of securities will be accepted on a case-by-case basis, in consultation with ACYR’s Board of Directors.

In-Kind Gifts: ACYR will accept and receipt those in-kind gifts it deems appropriate, in accordance with Canada Revenue Agency (CRA) guidelines and requirements, and relevant ACYR policies.

The final decision to accept or decline an in-kind gift rests with the Executive Director unless it might expose ACYR to liability, is precedent setting or involves sensitive matters, in which case the final decision rests with the Board.

Other in-kind gifts like real estate will be reviewed and approved by the Board on a case-by-case basis.

Proven Fair Market Value of the in-kind gift is required in order for ACYR to issue an official income tax receipt. When the valuation is supported by a retail tax receipt, the Fair Market Value does not include taxes paid on the purchase. [Please see: <https://www.canada.ca/en/revenue-agency/services/charities-giving/charities/policies-guidance/policy-commentary-006-fair-market-value-donated-item-taxes.html>]

Once accepted, ACYR retains the right to dispose of an in-kind gift as it sees fit, unless another arrangement has been made with the donor.

In-Kind Gifts of Services: Registered charities cannot issue official income tax receipts for the donation of services.

ii. Deferred Gifts

ACYR accepts donations in the form of “deferred gifts” such as bequests, life insurance, retirement plans and other gift vehicles that may be categorized as a gift in the future.

Gift arrangements, such as multi-year pledges, must be approved by the ACYR Board of Directors.

ACYR strongly recommends all donors seek advice from professional advisors and discuss the matter with family when considering a bequest or other deferred gift to ACYR.

ACYR adheres to the Canadian Association of Gift Planners: Code of Ethics. (See Appendix A)

iii. Undesignated/Designated Gifts

Undesignated or Unrestricted gift: A gift given to ACYR where the donor has not specified how the support is to be directed.

Designated or Restricted Gift: A gift given to ACYR where the donor has specified how the support is to be directed.

ACYR will support designated gifts that are consistent with the mission and priority needs. e.g. for Avinash Ramkissoon Scholarship Fund or Compassion Fund.

All designated donations are to be used for the purposes for which they are given. Upon acceptance of a designated/restricted gift, there will be no change in the use of that gift or any portion thereof, without the donor’s consent. If the donor declines to give consent, the gift or portion thereof must be returned.

If the original purpose of the donation is no longer relevant and in the event the donor or his/her agent is no longer able to approve or decline consent for a change of purpose, the funds will be used in support of the area of greatest need.

iv. Sponsorships

Sponsorship is defined as a mutually beneficial business arrangement between ACYR and a funder or provider of resources that results in the exchange of benefit and value related to visibility, exposure or increased market reach. Sponsorships include initiatives that further a funder's corporate social responsibility and marketing objectives while advancing ACYR's fund development and marketing goals. A sponsorship can include cash contributions, gifts-in-kind and gifts-of-service.

In such cases, the contribution made by the funder no longer qualifies as a charitable donation and is deemed by Canada Revenue Agency as a commercial arrangement, and therefore not receiptable.

Policy 2: Declining/Returning a Gift

i. Declining a Gift

ACYR reserves the right to decline a gift if, for example but not limited to:

- Acceptance is inconsistent with the organization's beliefs, values and mission;
- The donor is deemed to not support the mission and program goals of ACYR or respect the rights of people living with HIV/AIDS, and/or the communities that are affected by HIV/AIDS;
- Acceptance jeopardizes the financial stability, human resources, or public image of ACYR;
- Acceptance requires ACYR to alter or restrict the free expression of its opinion on matters relating to the agency's work;
- Acceptance unduly restricts the capacity of ACYR to solicit or accept donations from other sources;
- It is offered by a company whose products may be harmful to ACYR's clients;
- A request for public recognition is incompatible with ACYR's philosophy of appreciation.

The decision to accept or decline a gift rests with the Executive Director unless it might expose ACYR to liability, is precedent setting or involves sensitive matters, in which case the final decision rests with the Board.

ii. Returning Gifts

In certain circumstances, it may be necessary for ACYR to return a previously accepted gift, if for example but not limited to:

- Where continued association with the donor would result in harm to ACYR's reputation;
- Where a donation is determined to be the proceeds of a crime;
- The terms of the donation agreement can no longer be honoured.

Policy 3: Gift Solicitation

All gifts and donations solicited on behalf of ACYR shall be used to further its mission and follow the policies and procedures outlined below, in keeping with Canada Revenue Agency guidelines and any other applicable guidelines.

ACYR's fundraising and solicitation activities will comply with federal, provincial and local laws as well as the Code of Ethical Standards established by the Association of Fundraising Professionals. (See Appendix B)

ACYR shall attempt to avoid accepting a gift from a prospective donor which would knowingly place a hardship on the donor or place the donor's future well-being into jeopardy.

As part of ACYR's commitment to ethical fundraising practices, all fundraising activities conducted by or on behalf of the organization must:

- be solicited in a respectful manner and without pressure;
- disclose the organization's policy with respect to issuing Official Income Tax receipts, including policy on minimum amounts for which a receipt will be issued.

Policy 4: Obligations to Donors/Donors Bill of Rights

We declare that all donors have the right to:

- i. be informed of ACYR's mission, of the way in which the organization intends to use donated resources, and of its capacity to use donations effectively for their intended purposes;
- ii. be informed of the identity of those serving on the ACYR Board of Directors, and to expect the board to exercise prudent judgment in its stewardship responsibilities;
- iii. have access to ACYR's most recent audited financial statements;
- iv. be assured that ACYR will use their gifts for the purposes for which they were given;
- v. receive appropriate acknowledgment and recognition or choose to remain anonymous;
- vi. be assured that information about their donations is handled with respect and with confidentiality to the extent provided by law;
- vii. expect that all relationships with individuals representing ACYR will be professional in nature;
- viii. be informed whether those seeking donations are volunteers, employees of the organization or hired solicitors;
- ix. have the opportunity for their names to be deleted from mailing lists;
- x. feel free to ask questions when making a donation and to receive prompt, truthful and forthright answers.

Donors and prospective donors are entitled to the following upon request or by visiting ACYR's website:

- Most recent annual report;
- Most recent audited financial statements;
- Charitable registration number;
- Donor privacy policy;
- Investment policy;
- Gift policy and other related donor policies;
- Donor bill of rights.

Policy 5: Donor Privacy

ACYR is committed to protecting the privacy of its donors, supporters and others with whom it interacts. It values the trust of its donors and supporters and recognizes that maintaining this trust requires that it be accountable and transparent in how it treats shared information.

ACYR complies with the legal requirements of Canada's federal Personal Information Protection and Electronic Documents Act. The personal information of its donors and supporters is always held in confidence and any use or disclosure of this information is subject to consent.

ACYR does not sell or share donor lists.

ACYR obtains explicit written permission from donors before publicly acknowledging them (i.e. in the annual report, on the website.)

Donors are entitled to request a copy of the information ACYR has on record about their giving.

Policy 6: Fundraising Policy Oversight

The Board shall review all fundraising policies and activities by ACYR, annually or as required.

PART B: FUNDRAISING PROCEDURES

The Executive Director will develop an annual fundraising plan to be approved by the Board.

All fundraising activities for ACYR are to be supervised by the Executive Director including those conducted by board members, staff, volunteers and third-party consultants.

The Board of Directors, the Resource Development Committee, the Fundraising and Communications Committee, volunteers and others as appropriate, will be provided a copy of all policies and procedures related to fundraising activities to ensure compliance across the agency.

1. Procedure for Accepting/Processing Gifts

i. Outright Gifts - Donations are accepted in the following manner:

Cash: Generally, gifts of cash are received during ACYR's fundraising and outreach events.

Cheques: Contributions by cheque should be made payable as follows:

AIDS Committee of York Region
10909 Yonge Street, Suite #203
Richmond Hill, ON, L4C 3E3

Credit Cards: ACYR accepts Visa, MasterCard, Discover and American Express credit cards as payment for a contribution.

Online Donations: Cash contributions are made online via ACYR's CanadaHelps account. ACYR will not issue tax receipts for donations made online as these are directly processed by CanadaHelps.

In-Kind Donations: Donors must complete an in-kind gift form that includes the name of the donor, a description of the goods, and provide documentation of the fair market value of the goods.

ii. Deferred Gifts: All deferred giving agreements must be reviewed and approved by ACYR's legal counsel. Where substantially the same agreement is used repeatedly, only the prototype requires approval.

iii. Designated Gifts: All designated gifts of \$100 or more are to be approved by the Executive Director. Where a proposed designated donation is not consistent with ACYR's needs, the Executive Director will:

- make appropriate options available to the donor;
- if agreement cannot be reached with the donor on reassignment of the proposed gift, decline a designated gift.

2. Procedure for Soliciting Gifts

All fundraising solicitation by or on behalf of ACYR will be truthful and will disclose the organization's name as well as the purpose for which funds are requested. Printed solicitations will include the ACYR address and other contact information.

ACYR will provide appropriate training and supervision of the people soliciting funds on its behalf whether staff or volunteers, including training to avoid the use of techniques that are coercive or intimidating.

All grant applications and letters of solicitation sent by ACYR must be sent on organization's letterhead, be reviewed by the Executive Director and be signed by the Executive Director or his/her designee.

3. Procedure for Entering and Recording Gifts

The Communications & Administration Coordinator will make copies of all cheque donations and print out copies of all online donations to share with the Executive Director, who will pass them on to ACYR's bookkeeper/accountant for entry into general ledger records.

The Communications & Administration Coordinator will record information regarding donations in the agency's database including:

- the donor contact information if the information on the cheque and/or response form is different or new;
- purpose (designated or unrestricted);
- the constituency source from which the gift was received (i.e. individual, corporation, foundation, organization, etc.);
- type of gift (cash, cheque, credit card, online payment or in-kind donation);
- amount of donation or fair market value for in-kind gifts;
- source of the gift (i.e. direct-mail appeal, special event such as A Taste for Life or Holiday Wish List program);
- if a tax receipt was issued and the corresponding tax receipt number.

Every new donor will be added to ACYR's MailChimp email list to receive invitations to special events. For clarity on Anti-spam legislation re sending emails please see:

<http://www.imaginecanada.ca/resources-and-tools/resources/canada%E2%80%99s-anti-spam-law-casl-faqs-relevant-all-registered-charities-and>

4. Procedure for Acknowledging Gifts/CRA Language on Receipts

Official Income Tax Receipts

- All gifts of \$20 or more will receive an official income tax receipt;
- Tax receipts must feature wording required by the Canada Revenue Agency;
- Interpretation of Canada Revenue Agency guidelines regarding whether a donation is eligible for an official income tax receipt rests with ACYR's auditor.

Thanking Donors

- ACYR will acknowledge a gift within seven business days of receiving the donation with an appropriate thank you email or card based on the gift level, and an official income tax receipt;
- The Executive Director will call donors of \$500 or more to thank them personally;
- The Board Co-chairs will send a thank you letter to donors of \$500 to thank them personally;
- All letters of acknowledgement sent by ACYR must be sent on the organization's letterhead, be reviewed by the Executive Director and be signed by the Executive Director or his/her designee.

Public Recognition

Before publicly recognizing donors, ACYR must obtain explicit permission and know exactly how the donor wishes to be listed – individually or as a couple, with professional credentials, or anonymously. Recognition preferences must be recorded in the database.

Government, private, and foundation funder recognition:

- Prominent placement of logos on ACYR's website, inclusion in ACYR's annual report funder acknowledgement list, and logos on any materials published using the designated funds from a particular funding source.

Corporate/business donations and sponsorship valued at \$500 or more:

- Prominent placement of logos on ACYR's website and inclusion in ACYR's annual report donor acknowledgement list.

Corporate/business donations valued less than \$500:

- Inclusion in donor acknowledgement list on ACYR's website and annual report.

Individual donations valued of \$500 or more:

- Prominent placement of donor name on ACYR's website and inclusion in ACYR's annual report donor acknowledgement list.

Individual donations valued less than \$500:

- Inclusion in donor acknowledgement list on ACYR's website and annual report.

5. Procedure for Internal Reporting

The Communications & Administration Coordinator will prepare a monthly report of gifts to be circulated to the Executive Director and appropriate program staff for information and special acknowledgement attention.

The Communications & Administration Coordinator and the bookkeeper/accountant will reconcile donations recorded in the database with donations deposited in the bank, each month. The reconciliation report will be reviewed and signed by the Executive Director.

The Executive Director will report Fundraising Expenses and Revenue to the Board, quarterly at a minimum.

6. Procedure for Maintaining Donor Privacy/Database Confidentiality

Staff, board members and volunteers involved in fundraising are privy to personal information. It is vital that they keep this information confidential. All who have access to the donor database must read and sign a confidentiality agreement.

All print files of donor data (donations slips, copies of cheques, credit card information) must be securely stored in a locked filing cabinet at all times. Only the Communications & Administrative Coordinator and Executive Director may have access.

Digital files of donor data must be kept private and secure on ACYR's password protected computer network.

Older files must be kept secure in locked filing cabinets in ACYR's storage space until they are disposed of securely by a third-party vendor.

No donor data may leave ACYR premises on a laptop, USB drive or via email.

7. Procedures for Evaluating New Internal or Joint Special Events

All proposed special events must be evaluated by the Executive Director to determine their value to ACYR.

Special events produced by ACYR internally, for fundraising purposes, must net a minimum 50% of gross income.

A detailed budget of expenses and revenue must be prepared in advance and approved by the Board, including demands on staff time.

ACYR will provide clear communication to event guests regarding the portion of the ticket price eligible for an official income tax receipt under Canada Revenue Agency Guidelines.

8. Procedures Regarding Third-Party/Community Fundraising Events

All proposed third-party events or projects, including a revenue and expense budget, must be evaluated by the Executive Director prior to issuing a letter of agreement to proceed.

Permission must be granted by the Executive Director before third parties use ACYR's name or logo in any promotional material for an event or project.

Net revenues from the event or project and a summary of revenues and expenses, must be submitted to ACYR no more than 60 days after the end of the event.

ACYR does not issue official income tax receipts for revenue earned by third party events or projects, where a benefit is received by the donor.

APPENDIX A: Canadian Association of Gift Planners Code of Ethics

Objectives

This Code of Ethics expresses CAGP's recognition of the responsibilities of its members to the association, to fellow members, and to others in the gift planning sector, including donors or prospective donors.

All members of CAGP are committed to upholding this Code of Ethics and will declare this in writing on their acceptance as a member and annually upon their membership renewal.

1. The Integrity of Members

Members shall act with competence, honesty, integrity and fairness in their relations with donors or prospective donors.

2. The Role of Members

The primary role of members is to both help donors realize their philanthropic goals and to ensure that their contributions respect the objectives of the charitable organization in question.

3. Disclosure of Information

Members have a responsibility to provide donors with accurate and comprehensive information on all aspects of the gift, including the roles of all interested parties.

Members who work on behalf of a charitable organization have a responsibility to inform donors of the mission, the activities of the organization as well as its gift acceptance practices, its processing procedures and fund and endowment management policies.

4. Protection of Interested Parties

Members working for or on behalf of a charitable organization shall encourage donors to consult with their personal and professional advisors in the case of significant and complicated gift transactions. Members have a responsibility to cooperate with other professionals who promote their donor's interests as well as those of the organization they represent.

Members shall not act for nor claim to represent a charitable organization without its knowledge or express consent. Members shall not act as donors' representatives without the donors' consent.

5. Terms and conditions of Gift

Members shall respect the payment schedule and contribution method chosen by donors, insofar as the methods comply with the charitable organization gift acceptance policies or guidelines. The members shall allow donors time for reflection and shall respect their decision-making processes.

In the event that the conditions of a gift need to be altered, members shall work in good faith with donors in doing so.

6. Confidentiality

Members shall respect the donor's request for anonymity. Donors' files and the personal and financial information therein contained are the charitable organization's property and shall be kept strictly confidential and in accordance with the privacy legislation in force for the particular jurisdiction.

7. Conflict of Interest

At all times, members shall avoid conflict of interest situations, potential conflict of interest situations or the appearance of conflict of interest. Members shall notify all interested parties of any situation that may present a potential conflict of interest. Unless circumstances are such that this becomes a requirement, members who work on behalf of a charitable organization shall not agree to act for donors on a personal basis (e.g. as liquidators or executors of wills) so as to avoid any conflict of interest.

8. Remuneration

Members who work on behalf of a charitable organization shall not accept commission-based remuneration, nor finder's fees nor shall they derive any monetary benefit from transactions concerning donations or from relationships established with donors as part of their duties.

9. Competence

Members shall be responsible for maintaining their professional skills and for upgrading their knowledge on an ongoing basis.

Members shall be obliged to be aware of and adhere to all guidelines and standards of conduct issued by the Association.

10. Complaints

Complaints should be addressed in writing to the Board of Directors of CAGP, who will review them in confidence and in accordance with the Code of Ethics Complaints Procedure.

Appendix B: Association of Fundraising Professionals Code of Ethical Standards

ETHICAL STANDARDS (Adopted 1964; amended Oct 2014) The Association of Fundraising Professionals believes that ethical behavior fosters the development and growth of fundraising professionals and the fundraising profession and enhances philanthropy and volunteerism.

AFP Members recognize their responsibility to ethically generate or support ethical generation of philanthropic support. Violation of the standards may subject the member to disciplinary sanctions as provided in the AFP Ethics Enforcement Procedures. AFP members, both individual and business, agree to abide (and ensure, to the best of their ability, that all members of their staff abide) by the AFP standards.

PUBLIC TRUST, TRANSPARENCY & CONFLICTS OF INTEREST

Members shall:

- not engage in activities that harm the members' organizations, clients or profession or knowingly bring the profession into disrepute.*
- not engage in activities that conflict with their fiduciary, ethical and legal obligations to their organizations, clients or profession.*
- effectively disclose all potential and actual conflicts of interest; such disclosure does not preclude or imply ethical impropriety.*
- not exploit any relationship with a donor, prospect, volunteer, client or employee for the benefit of the members or the members' organizations.*
- comply with all applicable local, state, provincial and federal civil and criminal laws.*
- recognize their individual boundaries of professional competence.*
- present and supply products and/or services honestly and without misrepresentation.*
- establish the nature and purpose of any contractual relationship at the outset and be responsive and available to parties before, during and after any sale of materials and/or services.*
- never knowingly infringe the intellectual property rights of other parties.*
- protect the confidentiality of all privileged information relating to the provider/client relationships. never disparage competitors untruthfully.*

SOLICITATION & STEWARDSHIP OF PHILANTHROPIC FUNDS

Members shall:

- ensure that all solicitation and communication materials are accurate and correctly reflect their organization's mission and use of solicited funds.*
- ensure that donors receive informed, accurate and ethical advice about the value and tax implications of contributions.*
- ensure that contributions are used in accordance with donors' intentions.*
- ensure proper stewardship of all revenue sources, including timely reports on the use and management of such funds.*
- obtain explicit consent by donors before altering the conditions of financial transactions.*

TREATMENT OF CONFIDENTIAL & PROPRIETARY INFORMATION

Members shall:

- *not disclose privileged or confidential information to unauthorized parties.*
- *adhere to the principle that all donor and prospect information created by, or on behalf of, an organization or a client is the property of that organization or client.*
- *give donors and clients the opportunity to have their names removed from lists that are sold to, rented to or exchanged with other organizations.*
- *when stating fundraising results, use accurate and consistent accounting methods that conform to the relevant guidelines adopted by the appropriate authority.*

COMPENSATION, BONUSES & FINDER'S FEES

Members shall:

- *not accept compensation or enter into a contract that is based on a percentage of contributions;*
- *nor shall members accept finder's fees or contingent fees, or be permitted to accept performance-based compensation, such as bonuses, unless such bonuses are in accord with prevailing practices within the members' own organizations and are not based on a percentage of contributions.*
- *neither offer nor accept payments or special considerations for the purpose of influencing the selection of products or services.*
- *not pay finder's fees, commissions or percentage compensation based on contributions.*
- *meet the legal requirements for the disbursement of funds if they receive funds on behalf of a donor or client.*