



LEGACY BRISBANE POLICY

Fundraising – Grants, Trusts and Foundations

Policy number: FR- 08

Effective date: 14 March 2023

Approving authority: CEO

Sponsor: Fundraising, Marketing and Communications Manager

Web address: <https://www.legateeguide.org.au/>

Date for review: 14 March 2025

Purpose	The Charter of Legacy commits the organisation to the care and safeguarding of the interests of entitled dependants of those who served. This policy defines one of many ways revenue is generated to support this charter.
Policy Statement	The Grants, Trusts and Foundations Fundraising Policy provides guidelines for best practice and ethical conduct of securing funding from non-government grants, trusts or foundations. This Policy does not replace nor override any law.
Who should read this policy	Board of Directors, Legatees, staff and relevant volunteers
Scope	All possible non-government funders of Legacy Brisbane
Definitions	Definitions of terms used in this policy are provided in Appendix 1.
Policy	Ethics and Grant Funding The following areas of compliance must be met by Legacy Staff, Volunteers or Legatees (Herein the applicant) when applying for grants; • The applicant must not hold financial interests which conflict with their duties for Legacy Brisbane or any other Legacy Club including LA Inc. • The applicant must not engage in financial transactions using confidential information acquired in the course of applying for a Grant or allow the improper use of such confidential information to further any private interest. • When applying for a Grant, the applicant must not offer to any Fund any gift of monetary value from any person or entity. • The applicant must not make express or implied statements to the effect that Legacy Brisbane will obtain a Grant as a result of the application until the outcome is announced by the Fund. • The applicant must not accept remuneration based on a percentage of the amount of the Grant awarded to Legacy Brisbane. However, paid staff may accept remuneration based on a reasonable commission or bonus that is not related to the amount of the Grant awarded. • The applicant must not make Grant applications that contain material that is illegal, discriminatory or unethical. • The applicant must not make Grant applications that misrepresent Legacy Brisbane or any other Legacy Club in any way, including without limitation, the name, geographical scope, Beneficiaries, activities and plans of Legacy Brisbane. • The applicant must comply with FIA's Principles of Fundraising Practice and this Standard at all times and should only work with funding bodies that comply with FIA's Principles of Fundraising Practice and this Standard.

Guidelines for applying for a Grant

These guidelines are included for the approved Legacy applicant. However, applicants should only submit an application after sign off from the FRMC Manager or CEO.

- The applicant must consult with the management of Legacy Brisbane to ensure the proposed Grant application is in full accord with the current strategic and financial directions of the Organisation.
- The cost benefit to Legacy Brisbane should be assessed according to the written plan set before applying for the Grant.
- The Grant procedure should include the following criteria:
 - a) Planning;
 - b) Administration; and
 - c) Evaluation
- Appendix 2 sets out a model Grant procedure for the guidance of applicants

Planning a Grant

Applicants should comply with the key steps to make a Grant application which are included below.

When applying for a Grant;

- Establish a proposal consistent with the Objects of Legacy Brisbane, including the objectives, the rationale and the expected results; and
- Prepare a budget

After the award of a Grant,

- Write a report for the Grant making Organisation or Fund about the Grant, evaluating the outcomes set for the Grant and including any information required by the Grant making Organisation or Fund for the acquittal of the Grant.

The applicant should not make Grant applications that:

- Do not meet the guidelines for the Grant application; or
- Are made to a Fund or Organisation whose Objects are not consistent with the Objects of Legacy Brisbane, to avoid making Grant applications which will not be considered.

If the Grant making Organisation or Fund requires the Fundraiser to enter into an agreement, the applicant must comply with the requirements of the agreement, subject to this policy and standards of FIA, which prevails in the event of a conflict.

Budget

Applicants must set a budget before making the application for a Grant.

They must also ensure;

- All expenses incurred in the budget are lawful and comply with FIA's Code of Ethics and Professional Conduct.
- Appropriate advice and comply with:
 - a) recognised accounting standards of practice;
 - b) reporting, record keeping and payment requirements of the Australian Taxation Office
 - c) reporting and record keeping requirements of relevant State or Territory legislation; and
 - d) FIA's Code of Ethics and Professional Conduct, in particular,

section 4.

Promotional Materials

Applicants must ensure that any approved Legacy Promotional Material used:

- Is factually accurate, truthful and not likely to deceive or mislead any person;
- Identifies Legacy Brisbane for which the Promotional Material will be distributed;
- Identifies the objective of the Organisation or Fund;
- Complies with the relevant provisions of *Competition and Consumer Act 2010* (Cth) and State or Territory equivalent legislation, (in particular those sections relating to misleading and deceptive conduct and false and misleading representations);
- Complies with the relevant Commonwealth, State or Territory legislation in connection with a Fund; and
- Is approved by Legacy Brisbane and the funding body.

Where an applicant discloses a cost of fundraising in Promotional Materials, that cost must be factually accurate.

Applicants must make the current annual report of an Organisation they represent freely available upon a reasonable request.

Use of Logos and Trade Marks

If the Fund or Organisation has a Trade Mark associated with or used in connection with it, the applicant must ensure that the Fund or Organisation has given permission for the use of the Trade Mark and take all reasonable steps to prevent its unauthorised use by third parties including Suppliers or the media.

Compliance and Management of Complaints

Legacy Brisbane must comply with FIA's Principles & Standards of Fundraising Practice and relevant Commonwealth, State and Territory legislation including the relevant provisions of *Spam Act 2003* (Commonwealth), *Competition and Consumer Act 2010* (Commonwealth), *Privacy Act 1988* (Commonwealth) and the National Privacy Principles.

Reasonable complaints are to be maintained on a complaints register and recorded in the donor database.

All complaints are to be responded to within 24 hours and resolved within 3 days where possible.

Roles and responsibilities

- Fundraising, Marketing and Communications Manager – Strategic approval and review of Grants, trust and foundation submissions.
- All Legacy Brisbane Staff and Volunteers – Submission of Grants and acquittal of grants where the staff or volunteer is the applicant.
- Finance Department – Remittance of funds received and processing of funds.

Evaluation and review

Evaluation and review of this policy will be conducted by the Fundraising, Marketing and Communications Manager and the policy sponsor each two years. Following review, recommendations for change will be forwarded to the approving authority.

References and linkages

Legacy Statutes - Annexes A, B and D to The Code of Legacy.

Appendix

Appendix 1 – Definition of Terms

Appendix 2 - Model Procedure for applying for a Grant

APPENDIX 1 DEFINITIONS

Beneficiary means any person or entity which receives a benefit from an Organisation in pursuance of the Organisation's objects.

Child or Children means a child under the age of 18.

Corporation means an entity incorporated under the Corporations Act 2001 (Cth) and established for the purpose of profit.

Complaint means a notice in writing or over the phone sent by any person to Legacy Brisbane, by concerning an alleged breach by Legacy of any part of the FIA Principles and Standards of Fundraising Practice, law or best practice.

Director means a person who is appointed or elected to the position of a director of an Organisation or a Corporation.

Donation means a voluntary contribution by a Donor of money, property, goods or services to an organisation for the purpose of furthering that organisation's objects. It does not include a sponsorship or community business partnership.

Donor means an individual or other entity that makes a contribution of value to an Organisation to further the Organisation's Objects. A Donor includes prospective Donors and an individual or entity that has previously made a Donation. A Donor does not include an individual or entity that engages with an Organisation for the purpose of trade.

Ethics Committee means a committee established by the FIA Board pursuant to the Constitution for the purposes of making determinations on Complaints.

FIA means Fundraising Institute Australia.

FIA member means a person or organisation who is registered as an FIA member.

Fund means a gift or trust fund:

- a) to which Donations of money or property are made for the principal purpose of a Trust; and
- b) to which any money received by the Trust because of those Donations is to be credited. This definition includes but is not limited to prescribed private fund.

Fundraiser means a person, Corporation or Organisation, who carries out activities, whether for remuneration or as a volunteer, for the purpose of raising Donations for the Objects of an Organisation.

Fundraising Activity means an activity carried out by a person, Corporation or Organisation, whether for remuneration or as a Volunteer, for the purpose of raising funds for the Object of an Organisation.

Grant means an award of money made to an Organisation by a Fund after assessing the Organisation's application for a Grant.

Objects means the objective, purpose or cause, however so defined in an Organisation's constituent documents.

Organisation means an entity incorporated under Commonwealth, State or Territory legislation and established for a purpose other than profit.

Professional Misconduct means conduct by an FIA member that is a violation of the Principles and Standards of Fundraising Practice that has serious adverse consequences to a Complainant or was committed intentionally by the Fundraiser or both.

Promotional Material means any material in connection with a Donation, Fundraising Activity or an Organisation whether in printed, electronic or verbal form made available by a Fundraiser or Organisation to any person.

Sponsor means a third party who sponsors a Fundraising Activity for an agreed outcome.

Supplier means a third party supplying goods or services for payment to a Fundraiser and/or Organisation.

Tax means all taxes payable in connection with a Fundraising Activity, including without limitation income tax, pay as you go (PAYG) and good and services tax (GST).

Trade Mark means a word or group of words, logo, image, colour, scent or shape (whether registered or unregistered) used by an Organisation to identify the Organisation.

Trust means a trust established under a Trust Deed.

Trust Deed means the written document which establishes a Trust.

Trustee means the person named in the Trust Deed as the Trustee and any other person appointed as a Trustee from time to time.

Unsatisfactory Conduct means conduct by a FIA member that is neglectful of the Principles and Standards of Fundraising Practice or that has minor adverse consequences to a Complainant or both.

Volunteer means a person who performs a service for an Organisation without requiring compensation for performing the service.

Appendix 2 - Model Procedure for applying for a Grant

Planning

1. Identify the amount of funds Legacy wants to raise, how and from whom?
2. Draft a timetable for the application.
3. Construct a budget for the Grant proposal.
4. Develop a specific application plan for the Grant proposal.
5. Obtain approval for plan from Legacy Management.

Administration

1. Obtain the guidelines for the Grant.
2. Use appropriate systems for accounting.
3. Promotional Material – organise design and printing.
4. Prepare application

Evaluation

1. Evaluate outcomes set for the Grant
2. Report in writing to the Organisation about the Grant and the evaluation of the Grant