



LEGACY BRISBANE POLICY

Fundraising - Direct Mail

Policy number: FR- 04

Effective date: 31 October 2016

Approving authority: CEO

Sponsor: Fundraising, Marketing and Communications Manager

Web address: www.legateeguide.org.au

Date for review: October 2018

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 Direct Mail Fundraising Policy provides guidelines for best practice and ethical conduct of Direct Mail Campaigns. This Policy does not replace nor override any law.
Who should read this policy	Board of Directors, Legatees, staff and relevant volunteers
Scope	All Donors of Legacy Brisbane
Definitions	Definitions of terms used in this policy are provided in Appendix 1.
Eligibility	<p>Professional Direct Mail Fundraising Conduct</p> <p>Legacy Brisbane must at all times:</p> <ul style="list-style-type: none"> • Comply with the Fundraising Institute Australia (FIA) Principles of Fundraising Practice and this policy • Clearly provide a Donor with an opportunity to accept or decline an invitation or offer to make a Donation; • Accept a refusal by a Donor of an invitation or offer to make a Donation and do so courteously and promptly; • Accept a request by a Donor not to receive promotional materials concerning the Legacy Brisbane; • Accept a request to provide Promotional Materials to the Donor; • Be aware of the Objects of the Organisation and the Fundraising Activity;

Where a Fundraiser has not received any response from a Donor they may continue to mail that Donor.

In the following situations, Legacy Brisbane Fundraisers should act accordingly:

- If the Donor requests not to receive mail of a particular kind or any mail, a Fundraiser should ensure that the Donor's contact details are removed from Legacy Brisbane's relevant mailing lists.
- If the mail is returned to Legacy Brisbane, a Fundraiser should remove that address from the mailing list but may retain the Donor's name in order for the Fundraiser to make a reasonable attempt to ascertain the Donor's change of address.
- If Legacy Brisbane is notified that the Donor is deceased, a Fundraiser should immediately flag the Donor's contact details for exclusion from all mailing lists. Legacy Brisbane may retain the Donor's contact details on its database in accordance with relevant legislation.

Information Disclosure

Legacy Brisbane must further provide the following information to a Donor immediately upon receiving the Donor's request:

- Legacy Brisbane's contact details, including a telephone number and street address; and

- The name of the person who is responsible for handling Donor complaints for Direct Mail.

Legacy Brisbane must further provide the details of the source from which we obtained the Donor's contact information to a Donor within a reasonable time after a Donor has requested it, not exceeding 7 days, upon receipt of the Donor's request.

Outsourcing Direct Mail

When Legacy Brisbane engages a Supplier to conduct a Fundraising Activity by Direct Mail, we should ensure the following requirements are observed:

- The Organisation must have a written agreement with a Supplier;
- A Supplier should ensure that the employees or Volunteers do not receive a percentage of the funds raised;
- A Supplier should not undertake a Direct Mail Fundraising Activity that requires percentage-based payment;
- A Fundraiser should comply with FIA Principles of Fundraising Practice and this policy; and
- A Fundraiser must comply with relevant Commonwealth, State and Territory legislation of the Donor, regardless of the physical location of the Corporation.

A Fundraiser should ensure that Suppliers of Direct Mail services operate in accordance with recognised quality management systems.

Follow-up procedures

Legacy Brisbane will execute the following follow up procedures upon receipt of a donation:

- A receipt should be sent to the Donor informing them of the details of their Donation. The receipt should include:
 - The date of the Donation;
 - The amount of the Donation;
 - The Donor's name and contact details;
 - The Organisation's Australian Business Number or other identifying number;
 - The payment method agreed by the Donor; and
 - Sequential numbering.
- The receipt should be sent to the Donor within three (3) business days of the Donation.
- All record keeping must comply with the National Privacy Principles and any other relevant legislation.

Promotional Materials

Legacy Brisbane will ensure that any Promotional Material used:

- Is factually accurate, truthful and not likely to deceive or mislead any person;
- Identifies Legacy Brisbane and its contact details for which the Promotional Material will be distributed;
- Identifies the objective of Legacy Brisbane;
- 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; and
- Is approved by the Legacy Brisbane.

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

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

Enclosures in Promotional Materials packs:

- Should enhance the Objects of Legacy Brisbane or the purpose of the Fundraising Activity; or
- Should not cause inconvenience or embarrassment in delivery.

Promotional Materials must not include images which are derogatory of a person, group of people or any Organisation, discriminatory, pornographic or unduly violent.

Promotional Materials should not be sent knowingly to children under the age of 18 unless they have been requested in connection with a School Fundraising Activity. For further guidelines, Fundraisers are referred to Legacy Brisbane's Policy of School Fundraising Practice.

Use of Logos and Trade Marks

The Legacy Brisbane Logo and Trade Mark is to be used on all direct mail. Further the Fundraiser must ensure that the 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 Direct Mail Campaigns
- Communications Coordinator – Development and Execution of Direct Mail Campaign.
- Finance Department – Donation processing

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 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.

Direct Mail means the marketing of goods or services or the seeking of donations through mail where Donors are invited to respond.

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.

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.

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.

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.