



# Policy on fundraising with and responding to people in vulnerable circumstances

*Updated January 2026 by the Director of Development and Deputy Director of Development*

Philanthropy should be a positive experience for everyone. Making a gift to Lady Margaret Hall (LMH) is an important way that donors can support the College. Our fundraising efforts seek to establish and develop relationships with individuals around the world – both existing donors and potential new supporters – to engage them in contributing to the world-leading research and education offered by LMH. It is assumed that LMH will not actively fundraise from children (under 18).

LMH recognises that, as with all fundraising organisations, some of those we engage with through our fundraising activity may be in a vulnerable circumstance, or may require additional support to make a decision. This policy sets out guidance for anyone involved in fundraising for LMH, whether academics, staff, fundraising volunteers or third parties: “fundraisers”. This policy will be made available on our website and shared with all “fundraisers” when they start fundraising for the College. It should be read in conjunction with the College’s Fundraising Practice Policy and the Gift Acceptance Policy.

## Sector Guidance

The Fundraising Regulator’s *Code of Fundraising Practice* explains that:

*“Every donor is an individual with a unique background, experience, and circumstance and every interaction between a fundraiser and donor is different. People are much more than any one particular characteristic (for example, age, disability, or medical condition). It would not be right to have an approach which advocates treating some groups of individuals differently based solely on any such characteristic as this could lead to discriminatory practice. Treating donors fairly means that everyone should have the opportunity to donate if they want to do so, and that they are responded to on the basis of their needs and preferences as an individual so they can make an informed decision. This means that people, even if they are in a vulnerable circumstance, can choose to support a charity and make a donation. However, there are times when fundraisers shouldn’t make an ask for a donation or when a donor needs additional care and support to make an informed decision.”*

Four key principles underpin the Chartered Institute of Fundraising guidance which LMH follows:

- 1) Being respectful - This means being mindful of and sensitive to any particular need that a donor may have. It also means striving to respect the wishes and preferences of the donor.
- 2) Being responsive - Fundraisers need to be ready to adapt their approach and be flexible to meet the needs of individuals. It also means being prepared to ask questions or take additional steps when necessary.

- 3) Being fair - Fundraisers should not make decisions based solely on a particular characteristics such as a person's appearance, the way they talk, any medical condition, or disability. Fairness means responding to people as individuals.
- 4) Being accountable - Fundraisers should take responsibility for their actions, ensuring that their work is carried out in line with the Code of Fundraising Practice.

The following are examples of indicators which could mean that an individual is in a vulnerable circumstance or needs additional support:

- Physical and mental-health conditions
- Disability
- Learning difficulty
- Age
- Times of stress/anxiety (e.g. bereavement, redundancy)
- Financial vulnerability (where a gift from a donor may impact on their ability to sufficiently care for themselves or leave them in financial hardship)
- Limited ability to communicate effectively
- Influence of alcohol or drugs

Fundraisers **MUST** take all reasonable steps to treat a donor fairly, enabling them to make an informed decision about any donation. This **MUST** include taking into account the needs of any potential donor who may be in a vulnerable circumstance or require additional care and support to make an informed decision.

Fundraisers **MUST NOT** exploit the trust, lack of knowledge, apparent need for care and support or vulnerable circumstance of any donor at any time.

Fundraisers **MUST NOT** take a donation if they know, or have good reason to believe, that a person lacks capacity to make a decision to donate, or is in vulnerable circumstances which mean they may not be able to make an informed decision.

If a donor makes a donation while they do not have the capacity to make an informed decision, the money **MUST** be returned to them.

## LMH's Approach

LMH's approach is informed by the Institute of Fundraising's 'Treating Donors Fairly' Guidance which provides additional guidance including how to address concerns that a potential donor may not have mental capacity to make a decision and guidance as to how to provide additional support to a potential donor: <https://ciof.org.uk/events-and-training/resources/treating-donors-fairly-2021>.

Fundraisers for LMH should respond to the needs of each individual donor, which will depend on the nature of the interaction and engagement. In all circumstances, LMH expects those fundraising on its behalf to be alert to people who may be in a vulnerable circumstance and to treat those individuals with respect and care.

If the fundraiser has reasonable grounds for believing that a potential supporter lacks the capacity to make a decision, then a solicitation should not be made, nor should a donation be accepted.

If, after receiving a donation, LMH receives evidence that the supporter lacked capacity to make the decision to donate, then subject to the approval of the Development Committee, the donation will be returned. LMH will follow the guidance from the Institute of Fundraising and the Charity Commission in these cases.

If a fundraiser believes that an individual may be in a vulnerable circumstance or unable to make an informed decision, the fundraiser should politely end the interaction in such a way as to not cause

distress. When ending fundraising activity, if there is the opportunity to do so, the fundraiser should check the individual's preferences as to whether they would like to be contacted again in the future.

If a donor is found to be lacking capacity to make a decision, LMH will put into place measures to ensure that donations are not solicited from them in the future. This will most likely involve recording communication preferences in the DARS database. When recording information, all fundraisers must be aware of their responsibilities under the Data Protection Act. **Under no circumstances should fundraisers record any judgement or assessment about what they perceive an individual's physical or mental condition.**

If an individual voluntarily provides a written or verbal 'personal declaration' about their condition or circumstances then, provided that they have consented for LMH to hold this data, it can be recorded on the database. In all such circumstances, guidance should be sought from College Data Protection Officer to confirm our compliance with our data protection obligations.

Sometimes a third party (e.g. a family member) may contact LMH on behalf of a donor to communicate a request. For any financial matter, the LMH must be satisfied that the third party making the request is entitled to act on behalf of the individual. This is usually demonstrated through a written authority on behalf of the donor, or a power of attorney for the third party to administer the donor's affairs. It is the third party's responsibility to provide evidence of this entitlement. For some requests (for example, around communication preferences), the third party may not have such written authority, but provided that LMH is satisfied that the individual is acting in the best interest of the supporter we will respond to these requests.

In all cases, where there is any doubt as to a donor's capacity or vulnerability, it is a good idea to make a note of the conversation with a supporter and, where appropriate, follow up in writing confirming the actions taken and the steps that have been gone through, explaining any reasons for decisions taken. Any interactions should be recorded on DARS (taking into consideration the aforementioned data protection restrictions).

## Third Party Agreements and Reporting

In line with the **CHARITIES ACT 2016**, written agreements with professional fundraisers and other commercial third parties must include information on:

- Any fundraising standards that the commercial organisation has committed to be bound by.
- How the commercial organisation will protect people in vulnerable circumstances and others from unreasonable intrusion into their privacy, unreasonably persistent approaches or undue pressure to donate to the charity.
- The arrangements in place that will enable the charity to monitor compliance with the requirements in the agreement.

The Act also requires charities to include a statement in their annual report which sets out:

- Whether a professional fundraiser carried out any fundraising activities.
- Whether that professional fundraiser is bound by a voluntary or regulatory scheme for fundraising, and any failures to comply with that scheme.
- Whether the charity monitored the activity carried out by professional fundraisers and how.
- The number of complaints that have been received about fundraising activity.
- What the charity has done to protect vulnerable people as part of its fundraising activities.

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