The Triangle Community Garden

Accepting, Refusing and Returning Donations Policy

Revision history

Date	Details	Author	Review due
March 2025	New policy	K Hughes	March 2028

1. At The Triangle Community Garden, we are committed to making decisions that are both in line with our charitable objectives[1] and are in line with the best interests of those participants who engage in our activities.

2. Our accepting, refusing and returning donations policy ensures we do not compromise on our values when raising funds or engaging donors. We recognise charity due diligence requires us to assess whether the donation will enable us to meet our charitable goals and that legal and regulatory requirements will be met. We also recognise the principle of 'know your donor' which allows a full understanding of the donor's intentions and source of funds.

3. We acknowledge the recent Charity Commission guidance (issued March 2024) stipulating that the law is clear in that the starting point should be accepting the donation unless there is a very good reason not to[2].

[1] Charitable objectives and in line with aims listed on TCG website
[2] www.gov.uk/guidance/accepting-refusing-and-returning-donations-to-your-charity

4. We acknowledge Trustees must make decisions on whether to accept donations with the Gardens best interests in mind and not let their personal ethical or political views - where not directly related to the interest of the garden - affect their objective judgement.

5. Circumstances in which the Trustees of the Community Garden would carefully consider the acceptance - and potentially refuse funds - include:

    - Suspected illegal activity
    - From someone with mental incapacity
    - Potential to generate negative PR for the charity
    - Potential to negatively impact our ability to secure funds from other donors
    - Activities will contradict the organisations missions and or negatively impacts biodiversity, conversation or sustainability - including companies in oil, gas or those with poor ESG (Environmental, Social and Governance) records
    - The donation requests us to deliver work which falls outside our charitable scope and capabilities
    - The acceptance of the donation puts us in a financially risky position - e.g. accepting assets we cannot afford to maintain

6. We also recognise the importance of managing risk needs to be proportionate. We recognise that returning or refusing a donation also generates its own risk and turning down a donation may negatively impact our own financial position and would ensure adequate steps are taken to mitigate this risk if Trustees decide to go ahead and refuse or return a donation.

7. We do not carry out prospect research activity on potential donors as our primary source of funds is statutory, public facing funding or money raised through fundraising events / initiatives. However if trustees are scrutinising a potential opportunity, and may be accepting sources from a private source, we will conduct desk-based research to further inform the discussion and final decision.

8. We also recognise the obligation to refuse a donation outright if we have evidence that the source of the funds has been gained through illegal activity or the person donating does not have the mental capacity to decide.

9. Due to the nature of those we work with, we will assess all voluntary donations carefully and if we have good reason to believe that a supporter lacks capacity to make a decision to donate or is in a vulnerable circumstance which means they may not be able to make an informed decision, we will not accept the donation.

10. The trustees take responsibility to ensure any decisions on accepting, refusing or returning donations will be discussed in depth, with all risks considered and captured in the Trustee meetings accordingly. A majority vote will inform the decision and in the event of a tied vote, the Chair of Trustees will take the final decision. The outline of the discussions and the final decision will also be made available to staff for transparency.

11. Publication

- This policy will be available at Ransom's Pavilion and on the Triangle Garden website: www.trianglegarden.org. It is available on request in hard copy – please email info@trianglegarden.org or write to Triangle Community Garden, c/o Hitchin Initiative, 1A Churchyard Hitchin SG5 1HR

- Current and new members of staff, trustees and volunteers will be made aware of its existence and any revisions made.