

Refusing or returning donations: a request for collaboration to develop guidance

01 MAY 2019

CATEGORY:
ARTICLE



The Charity Commission is encouraging trustees and other interested parties to collaborate with the Commission to develop a tool to help trustees make decisions regarding refusing or returning donations. Such a tool may come in the form of a checklist or guidance policy and would build on current guidance provided by the Commission and the Institute of Fundraising's [practical guide to dealing with donations](#).

Charities are becoming increasingly concerned of the sources of the money they receive, largely driven by a number of high profile scandals. Revelations of sexual misconduct at a fundraising dinner for the Presidents Club Charitable Trust led many charities to consider returning the donations they had received from the Trust. More recently, the Sackler Trust announced in March that it was suspending all philanthropic giving after various other charities announced that they would no longer accept donations from it. Members of the Sackler family own Purdue Pharma, which sells a prescription painkiller and is currently facing lawsuits in the US over its potential role in the opioid crisis. The Dr Mortimer and Theresa Sackler Foundation, also associated with the Sackler family, has also halted all charitable giving in the UK.

Guidance published by the Commission shortly after the Presidents Club revelations, titled 'Returning money to charities', emphasised that trustees should consider what is in the best interests of the charity when deciding whether to return donations. It also notes that the Commission may need to authorise returns in some circumstances.

In a recent article for Civil Society, Sarah Atkinson, the Commission's Director of Policy, Planning and Communications, has now said that the Commission considers the starting point to be that charities should normally accept donations and that where trustees are considering refusing a donation, the risks of accepting the funds must be significant enough to outweigh the value of the donation to the charity. However, the Commission does recognise that trustees are not only subject to scrutiny from the regulator but also from the public, and appropriate decisions can still have reputational consequences.

The Commission hopes that by introducing an effective tool to help trustees make these decisions, trustees will be more confident and able to make informed decisions that are in the best interests of their charity.

If you are concerned about any donations that your charity has received or may receive, please contact a member of the Charities team.

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