CODE OF CONDUCT

This code sets out the fundamental principles regarding the professional conduct of all members of Educate Plus as well as guidelines to which members are expected to adhere in their relationships with their institutions, fellow members and donors.

While Educate Plus cannot control the activities of the institutions where members work, members should ensure to the best of their professional ability that those institutions conform to legal requirements laid down by national and state legislation and general standards of acceptable conduct. Such requirements are likely to include:

- a governing body which meets legal requirements
- implementation of approved accounting procedures
- publication of formally audited accounts at prescribed levels
- registration under appropriate regulations
- compliance with any and all other relevant rules and regulations.

There are some areas of activity which have not been officially prescribed but where community expectations are generally known. It is the responsibility of members to adhere to these expectations and to encourage institutions to do likewise. The general theme of these expectations is that institutions will be transparent in their policies, actions and reporting in fundraising. They include:

- inclusion in financial statements of sufficient information to enable informed judgments to be made
- provision of an accounting of all income received and fundraising costs incurred
• application of the major portion of total income to the institution’s programs and directly related activities
• application of the major proportion of funds raised in a specific campaign to the programs so promoted
• maintenance of fundraising costs to a minimum and within acceptable limits (see Fundraising Costs)
• a management structure which ensures that all aspects of fundraising and disbursement of funds raised are effectively controlled.

ACCOUNTABILITY AND DISCLOSURE

Members of Educate Plus shall:

• see themselves as accountable to the councils, boards, CEOs and others which they serve, the donors and the wider institutional community.
• fully and accurately account to councils and boards for all income earned and all costs incurred by programs under the member’s control. Cost figures should include direct and indirect costs, and be reported against income sources.

PUBLICITY AND INFORMATION MATERIALS

Members of Educate Plus shall ensure that:

• publicity and information materials are accurate, truthful and not misleading in any way
• information includes a clear description of programs and activities for which funds are requested
• fundraising and information materials are part of a positive campaign of building awareness, understanding and support
• all fundraising and information materials clearly identify the institution and the programs and activities for which funds are requested, and do not comment on other institutions
• overall fundraising literature and promotional material is in keeping with the aims and directions of the benefiting institution
• publicity and information materials comply with privacy laws and policies.

IDENTIFICATION OF INSTITUTION

Members of Educate Plus shall ensure that:

• A minimum level of disclosure is applicable to all fundraising programs whether through direct marketing, public appeals, or special events:
• full name of institution
• full address
• institution logo/crest
• details to confirm bona fide of the institution.

Supporting documentation for seeking philanthropic gifts should include:

• the names of the institution, or board members and members of the appeal committee
• contacts for queries
• the total amount to be raised
• the time frame for the appeal or other philanthropic program.

CONFIDENTIALITY

Members of Educate Plus shall ensure that:

• they safeguard privacy rights and confidential information concerning data held on donors and prospective donors
• they recognise they are in positions of trust.

They must not disclose information which could cause any embarrassment, harm or discredit to their institutions or their communities, including:

• financial information
• donor names (whether individuals, groups, corporations or philanthropic trusts) and mailing lists or information provided in confidence by colleagues
• security access codes or passwords into computer systems.
• Lists, records and documents acquired in the service of current or former employers shall be held confidential at all times and left intact when the relationship between the member and the institution comes to an end.

FUNDRAISING COSTS

All institutions cannot be judged equally but all should aim for levels of cost which are generally acceptable within the profession and by informed members of the community. Due regard must be given to the nature of the cause, the stage of development of the institution and the type of fundraising program used.

In capital fundraising appeals, as distinct from ongoing budget fundraising activities, costs in the area of 15 to 20 cents in the dollar raised would be regarded as high, around 10 to 15 cents as acceptable and 5 cents would be low.

In direct mail (annual) appeals, costs will vary but for a mature program in a well-established institution costs up to 35 cents per dollar raised would be acceptable. At the other end of the scale in the case of a relatively young institution or in donor acquisition costs approximating 100 percent and sometimes higher would not be unusual. Some fundraising costs (e.g. bingo, major lotteries) are determined by legislation or statutory regulation. These are to be observed at all times.
TELEPHONE FUNDRAISING/TELEMARKETING

In the use of the telephone in fundraising practice, members should be aware of and comply with legislation regarding telemarketing. They should also comply with certain basic considerations:

• telephone calls should be made only at reasonable hours. Generally these are (i) not before 8am and not after 8.30pm; and (ii) not on major public holidays
• callers must appreciate that they may have interrupted during an emergency or some personal activity and should offer to call back at a more convenient time
• callers must provide the persons called with a clear opportunity to accept or decline the invitation or offer. Consent to mail material should never be assumed
• a refusal of the invitation or offer must always be accepted by the caller, courteously and promptly
• calls should not be made under false pretences or in the guise of research or market survey when the intent of the call is to sell or seek gift money
• recorded messages in any form should not be used unless the person called is made aware that it is a recorded message and has the ability to clear the line promptly
• callers must at all times answer directly or arrange responses for all questions put to them
• volunteer callers should receive appropriate training in telemarketing principles and practices.

ELECTRONIC AND WEB-BASED FUNDRAISING

In the use of electronic communications and the world wide web in fundraising practice, members should be aware of and comply with relevant legislation, and at all times seek to protect the interests and privacy of individuals interacting with their web site. They should also comply with certain basic considerations:

• the organisation’s identity should be clearly displayed on the organisation’s web site
• online transactions should be conducted through a system that employs high-level security technology to protect the donor’s personal information for both internal and external authorised use
• organisations should provide either an ‘opt in’ or ‘opt out’ mechanism to prevent unsolicited communications
• organisations should provide a clear and easily accessible privacy policy on its website telling visitors, at a minimum, what information is being collected, how this information will be used and who has access to the data
• organisations should provide both online and offline contact information.
GENERAL FUNDRAISING PRACTICES

Subject to the Code of Ethics and Professional Conduct, nothing shall restrict members’ activities in working with any educational institution. Members shall place their professional responsibilities before their own personal interests in serving their institutions. Members shall recognise and discharge to the best of their abilities all obligations to the institutions they serve in matters of internal management and administration.

Members shall actively encourage their institutions to establish and exercise controls for the protection of the institutional community, the donors, the beneficiaries of funds being sought and received as well as for staff, volunteers, consultants, contractors and members of all affiliated and controlled entities.

Controls should also be established and exercised to ensure the security of all gifts received. Donors’ requests to have money allocated to specific purposes and requests that contributions remain confidential shall be observed and honoured. Fundraising activities shall at all times be conducted without the use of pressure, harassment, intimidation or coercion. Membership of the Association is not available to institutions or individuals who enter arrangements whereby commissions are paid on funds raised. This practice is unacceptable in educational philanthropy around the world, in large part because it may adversely affect relationships between institutions, advancement professionals and prospective donors.

Members shall make full disclosure to their institutions if requested to do so, to potential donors, of any and all relationships which may pose, or appear to pose, possible conflicts of interest.

It is inherent in the practice of fundraising that the wishes of the donor and the beneficiary are inviolate and the right to be neither giver nor receiver must be respected.

Members responsible for the management, including investment, of funds held in trust by their institution should be aware of the Prudent Person Rule and its implications for trustees. Key principles dictate that trustees have a duty to:

• exercise the powers of a trustee in the best interests of all present and future beneficiaries of the trust
• invest trust funds in investments that are not hazardous or speculative
• act impartially towards beneficiaries and different classes of beneficiaries
• take professional financial advice.

Members should be aware that long-term investment and management of funds by a Development Office is not a desirable practice. Investment activities in general should be conducted at a different organisational level and one that is completely isolated from the solicitation office.
PROFESSIONAL CONDUCT REVIEW AND ETHICS COMMITTEE

The Association is required under its Constitution to establish and maintain high standards of ethics and practice for its members. Membership of the Association is dependent on the observance of the Codes of Ethics and Conduct, and the Association enforces these codes, where necessary, by cautions or warnings, or by suspending or withdrawing membership rights and privileges.

The Board is required to have a standing committee which deals with issues relating to the Code of Conduct. This standing committee (the Ethics Sub-Committee) will comprise the Chair of the Governance Committee and two other Directors. Members of this Sub-Committee are expected to hold their positions for two years, all other conditions prevailing.

Any complaint about the behaviour of a member of Educate Plus may be made to either the Chapter of which that person is nominally a member, or to the Board, through the CEO. A complaint made at the Chapter level must be referred immediately to the CEO, who will report the matter to the Directors. The Chair of the Ethics Sub-Committee will then convene a meeting of the other members of the Committee (either face to face, or by teleconference) in order to consider the complaint and make their recommendation. The recommendation can be that:

- no further action be taken
- there is no substance to the allegation
- the member be cautioned that a repetition of such conduct may lead to further action
- the member be reprimanded
- the membership be withdrawn for some period of time
- the membership be cancelled.

ETHICS

Members of Educate Plus, by virtue of their responsibilities, represent their schools, colleges or universities to the wider community. They have, therefore, a special duty to exemplify the best qualities of their institutions and to observe the highest standards of personal and professional conduct.

- In doing so, they promote the merits of their own institutions and of education generally without denigrating other educational organisations.
- Their words and actions embody respect for truth, fairness, free inquiry, and the opinions of others.
- They respect all individuals without regard to race, colour, gender, sexual orientation, creed, ethic or national identity, handicap or age.
- They uphold the professional reputation of other development professionals and when using the ideas, words and images of others acknowledge their sources.
- They safeguard privacy rights and confidential information.
• They do not grant or accept favours for personal gain, nor do they solicit or accept favours for their institutions where a higher public interest would be violated.
• They avoid actual or apparent conflicts of interest and, if in doubt, seek guidance from the appropriate authorities.
• They follow the letter and spirit of laws and regulations affecting development activity.
• They observe these standards and others that apply to the profession and actively encourage colleagues to join in supporting the highest standard of conduct.