



Fundraising Institute of New Zealand

Code of Ethics and Professional Conduct

This Code of Ethics and Professional Conduct conforms to the International Statement of Ethical Principles of Fundraising.

The Ethical Principles are:

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| Honesty | FINZ members should act honestly and truthfully so that public trust is protected and donors and beneficiaries are not misled. |
| Respect | FINZ members should act with respect for the dignity of their profession and their organisation and with respect for the dignity of donors and beneficiaries. |
| Integrity | FINZ members should act openly and with regard to their responsibility for public trust. They shall disclose all actual or potential conflicts of interest and avoid any appearance of ethical, personal or professional misconduct. |
| Empathy | FINZ members should work in a way that promotes their purpose and encourages others to use the same professional standards and engagement. They shall value individual privacy, freedom of choice, and diversity in all its forms. |
| Transparency | FINZ members should stimulate clear reports about the work they do, the way donations are managed and disbursed, and costs and expenses in an accurate and clear manner. |

Introduction

FINZ is the professional body that represents professional fundraising in New Zealand. In delivering its mission, FINZ is concerned with:

- Providing the best professional development programmes to lead and educate fundraisers;
- Developing standards of practice to enhance the integrity and professionalism of fundraisers and the fundraising sector;
- Advocating the value of fundraising to society and government in order to empower fundraisers in their work in and with communities.

FINZ members champion and promote fundraising as a profession. They maintain the highest standards of fundraising, engage in the work of FINZ, commit to its mission and are at all times fully representative of the fundraising community. Ethical fundraising is vital to the fundraising profession if it is to provide its community with confidence for its cause.

The application of ethics in fundraising practice provides the fundraiser and the industry with the means to enter into ongoing relationships of trust with donors, supporters, volunteers and with the beneficiaries of funds raised.

FINZ is required under its constitution to establish and maintain high standards of ethics for its FINZ members.

Membership of FINZ at any level is dependent on observance of the FINZ Codes and Standards of Fundraising Practice. FINZ enforces the Codes and Standards of Fundraising Practice, where necessary, by providing education programmes for FINZ members, issuing cautions and warnings, or by suspending or withdrawing membership rights and privileges.

This Code of Ethics and Professional Conduct will be reviewed every three years from the date of first release.

1. To whom does this Code apply?

- 1.1 This Code applies to FINZ members. FINZ will monitor this Code and only enforce it if necessary against a FINZ member.
- 1.2 This Code does not replace nor override any law.

2. 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.
Company	means an entity incorporated under the Companies Act 1993 and established for the purpose of profit.
Complaint	means a notice in writing sent by any person to FINZ by way of a completed FINZ Complaints Form, concerning an alleged breach by a FINZ member of any part of the FINZ Principles and Standards of Fundraising Practice.
Director	means a person who is appointed or elected to the position of a director of an organisation or a company.
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 FINZ Council pursuant to the constitution for the purposes of making determinations on complaints.

FINZ	means Fundraising Institute of New Zealand.
FINZ member	means a person or organisation who is registered as a FINZ member.
Fundraiser	means a person, company 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, company or organisation, whether for remuneration or as a volunteer, for the purpose of raising funds for the objects 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 the Incorporated Societies Act 1908 or the Charitable Trusts Act 1957 and established for a purpose other than profit.
Professional Misconduct	means conduct by a FINZ member that is a violation of the Principles and Standards of Fundraising Practice that has serious adverse consequences to a complainant or was committed intentionally by the fundraiser or both.
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.
Sponsor	means a third party who sponsors a fundraising activity for an agreed outcome.
Supplier	means a third party supplying goods or services for payment to a Fundraiser and/or organisation.
Tax	means all taxes payable in connection with a fundraising activity, including without limitation income tax, pay as you earn (PAYE) and goods and services tax (GST).
Trade Mark	means a word or group of words, logo, image, colour, scent or shape (whether registered or unregistered) used by an organisation to identify the organisation.

Unsatisfactory Conduct means conduct by a FINZ member that is neglectful of the Codes and Standards of Fundraising Practice or that has minor adverse consequences to a complainant or both.

Volunteer means a person who performs a service for an organisation without requiring compensation for performing the service.

3. Professional Conduct

- 3.1 FINZ complies with the International Statement of Ethical Principles in Fundraising.
- 3.2 A Fundraiser must not engage in activities that may harm an organisation, a donor, a beneficiary or members of the public.
- 3.3 A Fundraiser must not engage in activities that bring the profession of fundraising into disrepute. If a Fundraiser becomes aware of any such activity by any FINZ member, they should make a complaint in writing to FINZ's Chief Executive Officer so that it can be dealt with under the FINZ Complaints Process.
- 3.4 A Fundraiser must recognise their individual boundaries of competence and be truthful about their professional experience and qualifications.
- 3.5 A Fundraiser must not engage in any activities which conflict with their fiduciary, ethical and legal obligations to the organisations they represent.
- 3.6 FINZ members will direct or manage only fundraising activities for causes that are consistent with the charitable purposes specified in Section 5(1) of the Charities Act 2005, namely for the relief of poverty, the advancement of education or religion, or any other matter of public benefit.
- 3.7 FINZ members shall :
 - (a) not personally undertake nor be involved in any way, in a fundraising activity where remuneration is based in part or in whole on a percentage of the financial results of the solicitation;
 - (b) not engage or remunerate any third party to solicit financial gifts on such a basis;
 - (c) will use their best endeavours to dissuade any employing organisation from remunerating fundraising staff or third party individuals on such a basis.
- 3.8 INJURY TO OTHERS: FINZ members shall not recklessly or maliciously injure the professional reputation or practice of other FINZ members or any other profession.

- 3.9 HONESTY: FINZ members shall at all times act honestly and in such a manner that donors are not misled. They shall not knowingly or recklessly disseminate false or misleading information in the course of their professional duties, nor permit their subordinates to do so. FINZ members will state their charges and terms of business without ambiguity before commencement of an assignment.
- 3.10 CONFLICT OF INTERESTS: FINZ members shall not represent conflicting or competing interests without the express consent of the parties concerned after FINZ members make full disclosure to all parties of the facts.
- 3.11 CONFIDENTIALITY: FINZ members shall not disclose (except as may be required by statute or law) or make use of information given or obtained in confidence from their employers or organisation, donors or any other source without express prior consent.

4. Disclosure of Donations and Costs to an Organisation

- 4.1 Before undertaking a fundraising activity for an organisation, a Fundraiser must not:
- a) guarantee fundraising results or promise compensation for failure to achieve fundraising results to the organisation;
 - b) misrepresent past fundraising achievements by the Fundraiser to the organisation;
 - c) fail to disclose to the organisation any direct or indirect cost of fundraising that the Fundraiser is aware of.
- 4.2 After obtaining a donation, a fundraiser or organisation must not change the conditions of the donation without first communicating with the donor any changes to the donation.
- 4.3 A fundraiser must not commit an organisation to a fundraising activity or any associated costs unless the organisation has approved such expenditure.
- 4.4 A fundraiser must:
- a) fully and accurately disclose to an organisation all donations received and all costs incurred by a donation programme or fundraising activity under the Fundraiser's control, including where possible, a proportion of overhead costs;

- b) encourage such disclosure from organisation affiliated entities.
- 4.5 Fundraisers must not accept personal payment, in cash or in kind, from a supplier to an organisation of which the member is an employee, or agent, in recompense for business placed with that supplier.
- 4.6 Fundraisers shall not make payment in cash or kind to any employee, officer, director, trustee, or advisor of an organisation for using influence to retain the services of a fundraiser.
- 4.7 An individual fundraiser must not use a method of remuneration for their services that is calculated as a percentage of total funds raised by the fundraiser.
- 4.8 Nothing in section 4.7 prevents a fundraiser from using a method of remuneration for their services that is calculated as a performance-based remuneration referring to the amount of donations obtained, providing that it is not calculated as a percentage of the total amount raised.
- 4.9 A fundraiser must comply with the FINZ Codes and Standards of Fundraising Practice.

5. Dignity and Privacy of Beneficiaries

- 5.1 Fundraisers must not threaten the dignity and privacy of a beneficiary of an organisation. For the purposes of this section, a threat to the dignity and privacy of a beneficiary includes, but is not limited to:
- a) a fundraiser passing a comment unnecessarily or negatively on the impairment, dependency or disability of a beneficiary;
 - b) a fundraiser using language which suggests that the organisation is to be pitied or feared;
 - c) a fundraiser using children on promotional materials to raise funds for adult services, giving the impression that the beneficiaries are childlike;
 - d) a fundraiser stating or implying a falsehood regarding a beneficiary;
 - e) a fundraiser depicting a beneficiary's image or identity in promotional materials without that beneficiary's written permission.
- 5.2 Despite section 5.1(a), a fundraiser may use a term in relation to a beneficiary where that term:

- a) is technically correct;
- b) is used only for the purposes of describing an impairment or disability that affects a beneficiary;
- c) does not identify a particular beneficiary without their express and written permission.

6. Confidential Information

- 6.1 A fundraiser must not disclose to any member of the public an organisation's:
- a) financial information unless it is already publicly available such as in an organisation's annual report;
 - b) security access codes or passwords into electronic data processing systems;
 - c) list of beneficiaries;
- without the prior written permission of the organisation.
- 6.2 Despite anything else in this Code, where a donor has expressly denied permission to an organisation to do so, a fundraiser must not disclose the identity of that donor to any member of the public to the extent permitted by law.
- 6.3 A fundraiser shall not, without the consent in writing of the organisation, reveal or make public any financial or other confidential information relating to the business of the organisation. Any confidential information held by the fundraiser, including but not limited to lists, records or documents obtained or generated during the course of their relationship with the organisation must be surrendered when the relationship between the fundraiser and the organisation comes to an end.

7. Organisation Identification

- 7.1 Wherever identification of an organisation is required by this Code a fundraiser must provide that organisation's:
- a) full name;
 - b) Charity Commission registration number or Company registration number;
 - c) GST registration number;
 - d) full business address;
 - e) logo (if any).

8. Promotional Materials

- 8.1 A fundraiser must ensure that any promotional material used:
- a) is factually accurate, truthful and not likely to deceive or mislead any person;
 - b) identifies the organisation and its contact details for which the promotional material will be distributed;
 - c) complies with the Fair Trading Act 1986 (in particular those sections relating to misleading and deceptive conduct and false and misleading representations);
 - e) is approved by the organisation.
- 8.2 Where a fundraiser discloses a cost of fundraising in promotional materials, that cost must be factually accurate.
- 8.3 A fundraiser must make the current annual report of an organisation they represent freely available upon a reasonable request.
- 8.4 Promotional materials must not include images which are derogatory of a person, group of people or any organisation, discriminatory, pornographic or violent.
- 8.5 Unsolicited promotional materials should not be sent knowingly to children under the age of 18.
- 8.6 Despite anything else in this section promotional materials may be part of a positive campaign by a fundraiser to build public awareness, understanding and support for the objects of an organisation.

9. Compliance and Management of Complaints

- 9.1 A fundraiser must not engage in an activity during their fundraising work that would constitute professional misconduct under this Code.
- 9.2 A fundraiser must not engage in an activity during fundraising that does not comply with the relevant legislation.
- 9.3 Where a fundraiser is aware that an organisation they work for does not comply with legislation, the fundraiser must try to bring this to the organisation's attention.

- 9.4 A fundraiser must comply with anti-discrimination legislation regarding decisions based on race, sex, sexual identity, marital status, disability, age, political belief or religious belief.
- 9.5 FINZ members must comply with FINZ's Codes and Standards of Fundraising Practice and relevant legislation including the Privacy Act 1993 and the Electronic Messages Act 2007.
- 9.6 Complaints concerning FINZ's Codes and Standards of Fundraising Practice or the conduct of a FINZ member will be determined by the FINZ Ethics Committee on referral by the FINZ CEO in accordance with the FINZ Complaints Process.