

# Fundraising Guidelines

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The Children's Hospital at Westmead abides by the *Charitable Fundraising Act 1991*. In granting an Endorsement Letter, The Children's Hospital at Westmead requests that you adhere to the following fundraising guidelines.

## **Getting started ...**

1. All fundraising activity must be endorsed by the Hospital. Once we have received your signed fundraising agreement and application form, and we are satisfied that the fundraising activity fits in with the philosophies and policies of the Hospital, we will forward your endorsement letter.
2. The Hospital will not endorse fundraising which involves any activity which does not fit with the Hospital's values of Children, Care and Leadership to the public in connection with the Event.
3. The Hospital will not endorse fundraising activities which involve
  - a. Telemarketing
  - b. Face-to-face solicitation e.g. door knocking
  - c. Open bucket collections
  - d. Fundraising centred on the consumption or purchase of alcohol and/or tobacco
  - e. Events involving or alluding to violent or dangerous activities e.g. boxing
  - f. Use of the Hospital's database of supporters and staff

## **Once endorsed ...**

4. The event coordinator takes responsibility for all organisational aspects of the event. This may include soliciting prizes, organising publicity and celebrities, or providing goods or services. Your Account Manager is here to provide advice and guidance when needed.
5. If the coordinator wishes to refer to or promote the Hospital, they must refer to it as "The Children's Hospital at Westmead" and not Westmead Children's Hospital.
6. Any documents/promotional material used by the coordinator in relation to the fundraising activity must be approved by the Hospital. If the event coordinator wishes to incorporate the Hospital logo on any materials or products, the coordinator must obtain prior permission from the Account Manager. Approval on all documents and promotional will be advised to the event organiser in writing by the Fundraising Account Manager.
7. For your fundraising purposes, please open a separate bank account that mentions the Hospital's name eg. "Mrs Smith's Fundraising, funds held in trust for The Children's Hospital at Westmead". This account will need two signatories, and will be used to bank proceeds and pay any expenses of your event. Refer to
8. In order to maintain the confidentiality of patients and ex-patients, generally children must not be involved in externally organised fundraising events or publicity. The Hospital will be the sole judge of this situation. Refer to *Appendix 1: Schedule 2*
9. Third party fundraisers are not covered by Hospital insurance and therefore you are required to seek your own Public Liability Insurance

## **Best Practice Guidelines for Fundraising**

10. The fundraising coordinator must take all reasonable steps to ensure that expenses do not exceed a fair and reasonable proportion of the gross income obtained:
  - a. In conducting a fundraising appeal for *donations only*, the fundraising organiser must take all reasonable steps to ensure that the expenses do not exceed 40% of the gross proceeds obtained (i.e., a minimum profit of 60%)

- b. In all other cases, (that is, appeals associated with the supply of goods and services) the person conducting the appeal must take all reasonable steps to ensure that the expenses payable do not exceed a *fair and reasonable proportion of the gross proceeds obtained*. Refer to *Fundraising Event Budget Calculator spreadsheet*

### **Raffles ...**

11. When the total retail value of raffle prizes is less than \$24,999 the Hospital can provide their standard raffle tickets.
12. When the total retail value of raffle prizes is \$25,000 and over The Children's Hospital at Westmead's raffle tickets cannot be used. In this case it is the coordinator's responsibility for printing raffle tickets. The produced raffle tickets should show:
  - a. the price of the ticket
  - b. the name of the Hospital – The Children's Hospital at Westmead
  - c. details of the prizes and their recommended value
  - d. the place, time and date of the draw
  - e. details of how the prize winners will be notified
  - f. details of the way in which results of the draw will be publicised
  - g. coordinator or other contact person's name to receive phone calls regarding results and prizes
13. Raffle prizes that exceed a total retail value of \$25,000 must be run as an Art Union Raffle and you must apply for a permit. Once approved, a copy of this permit must also be provided to the Hospital. For further details contact the Office of Charities, Department of Gaming and Racing.

### **Record keeping ...**

14. The Hospital must comply with the obligations imposed on it by the Charitable Fundraising Act 1991 and Regulations. This includes the following:
  - a. Ensuring that you keep a register of participants who support your fundraising activity (whether on a pay or voluntary basis). The participants who you identify will be recorded in the event participants register. Refer to *Fundraising Application Form – Other people involved*
  - b. Ensuring all money collected must be accurately recorded by the coordinator on a Statement of Income and Expenditure. Refer to *Statement of Income and Expenditure*

These forms must be presented to the Hospital together with the net funds from the event within twenty-eight (28) days of the event.

15. Please be aware that the Department of Gaming and Racing and The Children's Hospital at Westmead can request and are entitled to audit your records, and so it is necessary to keep all files for the seven (7) year statutory period.

### **Transfer of Funds**

16. It is a requirement during the transfer of funds from your separate bank account, that any funds raised over \$260 or more must be issued by cheque i.e. a cheque must be drawn on the account unless the particular conditions of the authority otherwise provide.
17. The transfer of funds from the fundraising event must be actioned within twenty-eight (28) days after the event

### **Receipts and tax...**

18. Your receipt will be issued once the following items have been returned to the Hospital;
  - a. statement of income and expenditure
  - b. acknowledgement receipt book
  - c. bank statements and invoices
  - d. unused raffle tickets

- e. identification badges
15. Receipts for tax purposes can only be issued to people giving donations of money.

The following are not tax deductible:

- raffle or art union ticket purchases
- purchases of goods (eg. chocolates, merchandise) or services
- purchases made at an auction

The following are tax deductible:

- Donations \$2 or above
- Donations with associated minor benefits (see examples below)

16. As of 1 July 2004, individuals are able to receive a tax deduction for the net amount of a donation made to a deductible gift recipient, which has an associated minor benefit. The deduction will be available for cash donations above \$250, where the value of the benefit received by the donor is no more than 10% of the donation or \$100, whichever is less.

**Example 1**

If you hold a fundraising dinner and charge \$1,000 but the market value of the dinner was \$100, participants will be entitled to a \$900 tax deduction. The dinner ticket price can be split into a \$900 tax deductible donation and a \$100 price of dinner including GST.

**Example 2**

If you hold an auction for a new item and the final bidder bids \$2,500 for the item and the item market value is \$200, then this concession does not apply and the whole amount is subject to GST and is not considered a donation. This is due to the fact that the market value of the item purchased by the participant exceeded \$100.

17. Your event supporters may like to make a donation to the Hospital, and are subsequently entitled to a tax deductible receipt. Your Account Manager can provide you with a form to record the details we require in order to process their donation. These details include their full name, company, address, phone number and amount of donation.
18. A tax-deductible receipt can be issued for donations considered 'Gifts In Kind' eg. new goods or services donated for the purpose of the fundraising. If you would like more information on this please contact your Account Manager.

### ***Disputes, conflicts of interest***

19. The Children's Hospital at Westmead has established mechanisms to resolve disputes and complaints which occur between the fundraising organiser/event. Refer to *Appendix 2: The Children's Hospital Complaint Handling Process*

### ***Disclaimer ...***

19. The Children's Hospital at Westmead reserves its right to withdraw its approval for the fundraiser/event at any time if it appears that there is a likelihood of the Fundraiser failing to adhere to any of the above terms and conditions. This process is called Dis-endorsement.
20. Further to this, endorsement letters will not be issued where the viability of the fundraising activity is in doubt.

### ***Helpful contacts ...***

Tax Office  
Internet: [www.taxreform.ato.gov.au](http://www.taxreform.ato.gov.au)  
Phone: 13 24 78 (Tax reform infoline) 8am-8pm weekdays  
GST Hotline: 133 088  
Department of Gaming & Racing

Office of Liquor, Gaming & Racing  
Internet: [www.olgr.nsw.gov.au](http://www.olgr.nsw.gov.au)  
Phone: (02) 9995 0333

Fundraising Institute of Australia (FIA)  
Internet: [www.fia.org.au](http://www.fia.org.au)  
Phone: (02) 9411 6644

Internet: [www.dgr.nsw.gov.au](http://www.dgr.nsw.gov.au)

Phone: (02) 9995 0300

## Appendix 1

### ***Schedule 2 Savings and transitional provisions***

Excerpt taken from *Charitable Fundraising Act 1991 No 69*.

(Section 58)

#### **1 Regulations**

(1) The regulations may contain provisions of a saving or transitional nature consequent on the enactment of this Act.

(2) Any such provision may, if the regulations so provide, take effect from the date of assent to this Act or a later day.

(3) To the extent to which any such provision takes effect from a date that is earlier than the date of its publication in the Gazette, the provision does not operate so as:

(a) to affect, in a manner prejudicial to any person (other than the State or an authority of the State), the rights of that person existing before the date of its publication, or

(b) to impose liabilities on any person (other than the State or an authority of the State) in respect of any thing done or omitted to be done before the date of its publication.

#### **2 Certain organisations taken to hold authorities**

(1) An organisation which, immediately before the repeal of the *Charitable Collections Act 1934*, was registered under that Act as a charity or was exempt from registration under that Act is taken to be the holder of an authority authorising the organisation to conduct any number of fundraising appeals.

(2) Section 19, and the other provisions of this Act, apply to an authority created by the operation of subclause (1).

(3) Subclause (1) ceases to apply to an organisation:

(a) when its authority is revoked under this Act, or

(b) when it alters its constitution in so far as its constitution relates to its charitable objects, or

(c) at the end of a period of 2 years commencing on the repeal of the *Charitable Collections Act 1934*,

whichever happens first.

For further information please visit [www.legislation.nsw.gov.au](http://www.legislation.nsw.gov.au) and refer to *Charitable Fundraising Act 1991 No 69*.

## Appendix 2

### ***The Children's Hospital Complaint Handling Process***

The Children's Hospital at Westmead is dedicated to supporting your fundraising initiative as best as possible. If you have a complaint, dispute or grievance, please follow the steps outlined below.

- 1) Submit your written grievance or complaint to your Account Manager, Fundraising Department. Your complaint must be in writing and contain sufficient details to enable the Account Manager to identify the nature of the complaint.
- 2) Information about complaint and complainant is recorded in the *Complaints Register*
- 3) Your Account Manager will acknowledge receipt of your complaint and may request further information from you if required.
- 4) Account Manager reviews and investigates the complaint, may seek further fact and attempt to seek a resolution with you or all parties involved
- 5) Are both parties satisfied?
  - o Yes
    - The complainant is resolved. The Account Manager reports the outcome to the Corporate and Community Partnerships Manager
  - o No
    - Stage 1: 30 -45 days
      - Complaint is referred to the Corporate and Community Partnerships Manager. The complainant may seek determination by the Corporate and Community Partnerships Manager.
      - The Corporate and Community Partnerships Manager reviews the complaint and makes a determination  
  
The complaint is resolved. Complainant and Account Manager are informed of the determination
    - Stage 2-3: up to 6 months
      - If either of the parties are not satisfied then case is submitted to the Fundraising Manager. The Fundraising Manager reviews the complaints process for procedural fairness
      - The Fundraising Manager may hold the complaint and will determine whether an error in process had an impact on the outcome of the investigation or not.  
  
Dismissal of the complaint and inform the complainant, Corporate and Community Partnerships Manager and Account Manager about the final decision.
      - The Fundraising Manager may authorise the reopening of the complaint and may direct the Director - Community Relations and Marketing to take further action as requested. Director - Community Relations and Marketing makes the final decision.