



# King Charles III Charitable Fund (KCCF) Gift Acceptance Policy

**King Charles III Charitable Fund**

A company registered in England No. 06777589 and registered Charity No. 1127255  
Registered office address: 3 Orchard Place, Broadway, London, SW1H 0BF



## Policy statement

King Charles III Charitable Fund accepts funding from a variety of public and private sector supporters to further the Fund's charitable activity. The Fund is registered with the Fundraising Regulator.

The Gift Acceptance Policy sets out the principles that the Fund will follow when seeking and accepting gifts from individuals and organisations, and the commitment that it makes to donors and prospective donors. The purpose of this policy is also to provide guidance for the Trustees, staff, and other stakeholders with regard to their responsibilities concerning gifts to the Fund.

The Trustees are ultimately responsible for the acceptance of donations or gifts, with support from the Executive Director, the Head of Governance and other external professional advisers.

The Fund will not accept gifts that:

- compromise our status and integrity as an independent charity;
- are in conflict with our mission and values or charitable objectives;
- are accompanied by restrictions unacceptable to our Trustees;
- could damage the reputation of our Founder, His Majesty King Charles III, other charities founded by HM The King or our partners;
- cause any other damage, including financial, to the Fund;
- are believed to be associated with criminal sources;
- are associated with organisations who have caused significant negative environmental impact;

## Regulatory Compliance and Best Practice

The Fund will comply with all relevant legislation as well as recognised Fundraising codes of practice and Charity Commission guidance and toolkits, to inform decisions relating to the acceptance or refusal of donations. Relevant legislation includes:

- The Charities Act 1992: in relation to commercial participators and professional fundraisers.
- The Charities Act 2011: in relation to seeking the views of the Charity Commission on whether to accept or refuse a particular donation, or an order to sanction the trustees' dealings with charity property.
- The Bribery Act 2010: in relation to bribery offences and requires the Fund to ensure, through due diligence and risk controls, that the receipt of a gift is not in relation to some inappropriate benefit that might be afforded the donor.
- Finance Act 2011: in relation to tainted charity donations.
- Proceeds of Crime Act 2002: in relation to suspected money laundering.
- Terrorism Act 2000: in relation to disclosures of beliefs or suspicions of terrorism offences.
- Data Protection Act 2018: in relation to how the Fund uses donors personal information.

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In accordance with these legal obligations and best practice guidance, the Fund's staff and Trustees must carry out due diligence on all prospective donors, proportionate to the size of the donation.

Due diligence is carried out in accordance with the KCCF Due Diligence process note approved by the Trustees. A record of this due diligence must be kept for future reference in line with document retention requirements. Any doubts over the acceptability of any gifts should be raised with the Executive Director, who is responsible for reviewing whether the gift should be accepted, in line with this policy and related procedures, and advising the Trustees who will then make the final decision.

In the case of potentially controversial gifts or donors, the Fund may choose not to solicit or accept a gift from an organisation or individual. **Appendix A** sets out a number of risk indicators and factors that the Fund would consider as part of this decision. Decisions on whether to proceed will generally need to be made prior to the receiving the donation in the Fund's bank account.

Where concerns are raised under these guidelines about a gift that has already been accepted by the Fund, a similar process will be followed to that set out in existing protocols in order to determine whether it is appropriate to retain the gift or take some other action in relation to the gift. In the event that Trustees decide to return a banked donation, this will be done in accordance with Charity Commission law (namely that the donation is illegal, or there is a reasonable expectation of detriment to the achievement of the purposes of the Fund, or that the terms and conditions of the donation provide for it to be returned in particular circumstances). Where a decision is made to return or refuse a gift, a minute of the decision including the reasons for the return or refusal will be recorded.

The Fund may seek legal advice in situations where it has been offered:

1. Shares that are not publicly traded particularly if subject to restrictions or buy-sell agreements;
2. Gifts of land or buildings;
3. Any interest free loan arrangements that include repayment provisions to a donor or third party;
4. Donations from overseas, where the origin of the funds cannot be properly ascertained.

In accordance with Anti-money Laundering legislation, the Fund will refuse the following:

- Offers of donations in cash, where for a certain period of time, the Fund is to receive the interest, but the principal to be returned to the donor at the end of the specified period.
- Donations in foreign currencies, with the provision as above, but the principal to be returned to the donor in the form of a sterling cheque.
- Offers of donations in cash, where the origination of the money is not possible to be traced (with the exception of charity collections).

Any donation of £25,000 or more which is received anonymously or which otherwise causes suspicion or concern should be notified to the Charity Commission.

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## Review of Policy

The Policy will be reviewed every two years by the Board of Trustees, or sooner if legislation, best practice or other circumstances indicate this is necessary.

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Adopted on 5<sup>th</sup> October 2022

Last reviewed: October 2022



## Appendix A - Risk indicators and factors to consider when refusing a donation

If there is published or credible evidence that the proposed gift will be made from a source that arises in whole or in part from an activity that

- Was illegal
- Evaded taxation or involved fraud
- Violated international conventions that bear on human rights

Unproven allegations or rumours under any of the above points will not themselves prevent acceptance of a particular gift, but care will be taken in accepting any donation, or continuing negotiations towards a possible donation, where there is significant potential damage to the Fund and its Founder's reputation:

- If the activity to be funded by the gift creates unacceptable conflicts of interest for the Fund.
- Where the money derives from a source contrary to the Fund's mission.
- If the proposed gift or any of its terms will seriously damage the reputation of the Fund, its Founder or if it will harm the Fund's relationship with other donors, supporters and partners.
- If the proposed gift is a cash donation of £10,000 or over made by a single transaction, or if there are suspicions of money laundering.

The Fund will not necessarily refuse a gift solely based on potential or perceived negative public relations. It will carefully consider whether, by accepting the gift, the Fund would face a level of media interest resulting in significant damage to the reputation of the Fund.