

MUSEUM OF THE HOME

Ethics policy and procedures

Policy statement

This policy sets out the standards of conduct that are expected from all representatives of the Museum of the Home, that is its trustees, advisors, staff and volunteers.

The policy's standards relate and apply to all the Museum's relationships including (but not limited to): cultural, academic and commercial.

Ethical principles

- The Museum of the Home's principal aim and statutory purpose is to care for, preserve and add to the collections that we display for public benefit. The Museum therefore has a duty to be transparent, accountable, and to always act in the public interest.
- We seek to ensure that those we work with and the ways that we work with them are consistent with our organisational values, mission and plan.
- The Museum expects its representatives to act from the highest standards of integrity and professionalism in all actions, activities and relationships.
- No individual should use their position for personal gain or to benefit another at the expense of the Museum, its mission, its reputation or the public, which it serves.
- In relation to income, the trustees are expected to accept money donated to the Museum for purposes consistent with the Museum's objects, but the trustees have discretion to consider other factors relevant to the charity's best interests. Ultimate responsibility for the acceptance or refusal of all donations or commercial income rests with the trustees.
- The only basis on which a donation can be refused are:
 - that it would be unlawful to accept it e.g. we know that the gift comprises the proceeds of crime; it could be considered a bribe; or
 - that accepting the donation would be detrimental to the achievement of the purpose of the organisation, as set out in its constitution. Such detrimental or anticipated detriment has to be set against the benefit of having the funds from the donor, which enable the organisation to pursue its purpose. The law requires that decision must be taken in the 'best interests of the charity'.
- Where the offer of support is dependent upon the fulfilment of certain conditions, the trustees have the right to refuse that support e.g. conditions linked to the support will divert the charity from pursuing its current objectives, policies or work priorities as a necessary result of the fulfilment of the conditions alone.

- Decisions should be based on evidence (as trustees need to demonstrate that they have acted in the best interests of the charity), and not swayed by personal political, commercial or moral preconception.
- The trustees must derive no personal benefit from donations, loans or other material support offered to the charity.

Policy implementation

In furtherance of these principles all trustees and senior staff of the Museum shall make known to the director:

- Actual, potential or perceived conflict between their own and the Museum's interests;
- Actual, potential or perceived pecuniary interests (including fundraising or investment dealing) or theirs or of any member of their close family which may be, or perceived to be, in conflict with the interests of the Museum;
- Actual, potential or perceived conflicts between the interests of the Museum and any relevant private entity.

Criteria for ethical screening of grants and donations

The Museum actively encourages philanthropic support, in line with its charitable status, and views increasing such support as a key element in being able to fulfil its mission.

All fundraising will take place within the context of the Fundraising Regulator's Codes of Fundraising Practice, Museum Association Code of Ethics and the Charity Commission's regulation and guidance.

Gift assessment

There may be occasions when the Museum will have to turn down opportunities for external funding, including gifts in kind and objects where it is believed that acceptance could have a detrimental effect on the Museum's reputation.

All philanthropic donations should be channelled through the development department to ensure adherence to this policy. Development must therefore be informed of an intended approach to a donor before it is made, or of any approaches from a donor as soon as possible after the approach has been made.

Exclusions include proposed donations from the National Lottery Heritage Fund, ACE and the various research councils.

The following criteria will be considered when deciding whether to refer a gift for screening:

- All donations and sponsorship of £10,000 or more that are being sought should be researched prior to solicitation by the development department and any unsolicited donations of £10,000 or more will also be reviewed.
- All donations and sponsorship between £10,000 and £49,999 will be assessed against the agreed criteria set out below and referred to the director if there is cause for concern, to determine whether they should be accepted.
- Donations and sponsorship of £50,000+ will be additionally referred to the director for approval.

- Donations and sponsorship from new supporters of £100,000 or more, or which are potentially novel or contentious, or may generate undue influence, require approval from the Board of Trustees.
- Anonymous donations with a value of over £25,000 need to be reported to the Charity Commission as a serious incident.

Gifts that are referred for ethical screening should take into account the following criteria and the results reported to the director for a decision if there is a cause for concern:

- Any possibility that the funding under consideration is or might be associated with illegal activities* e.g. Terrorism Act, proceeds of crime, money laundering, Bribery Act

* The UK Bribery Act 2010 requires the Museum to ensure that the receipt of a donation is not related to some inappropriate advantage that be afforded to the donor, such as the offer of a contract. Other relevant legislation includes the Proceeds of Crime Act 2002, the Terrorism Act 2000 and the Money Laundering Regulations 2007 under which it is an offence to receive, retain or convert money or property known or reasonably suspected to be the product of criminal activity.

- Any possibility that acceptance of the funding or any of its terms may not be in the best interests of the Museum on account of one or more of the following:
 - where the activities of the funder are in conflict with the objectives of the Museum or its beneficiaries;
 - where conditions imposed by a funder place undue influence on the Museum of the Home. For example a restricted donation which may be undeliverable without the Museum incurring unacceptable costs beyond the initial donation;
 - where there is evidence that the reputational cost to the Museum of accepting the funding will be disproportionate to the value of the donation itself. For example, where funding is likely to deter a significant number of supporters from future support;
 - where the offer of support is dependent on the fulfilment of conditions placed upon the Museum which are perceived to be too onerous;
 - the gift falls under the tainted charity donations rule – tax law rule to ensure donors do not receive inappropriate tax benefits;
 - where there's a possibility that the donor may be vulnerable. For example, diagnosed with dementia;
 - where the donation is truly anonymous, and as a result, the Museum is unable to quantify the risk associated with accepting the gift against the benefit of doing so. The Museum will however respect a donor's wish for privacy should they wish their details not to be publicised.

Assessing the level of risk

In order to determine if any of the above would break one of the overriding principles the Museum would need to establish an evidence base through risk assessment. This could include:

- Examining the donor's previous partnerships;
- Undertaking a public relations risk analysis to assess the likelihood of negative media coverage;

- Surveying a sample of donors to assess their likely giving behaviour if a particular donation is accepted;
- Asking our beneficiaries what they think.

Involving the Charity Commission

If it is not immediately clear what the 'best interests of the charity' are in relation to a proposed donation, or large sums of money or property are involved, or a decision might be challenged by the courts, the trustees can use the 'authority' of a Charity Commission order to refuse a donation. This can be used to mitigate against the threat of negative publicity engendered by the refusal of a donation.