

## Good Practice Guidance

### Communications following receipt of gifts

*Key Principles: Sensitivity, Transparency, Integrity, Collaboration*

The deeply personal nature of gifts in Wills means that how we say thank you can have a great impact. To help maintain public trust and confidence in legacy giving, it is important to carefully consider when and how it is appropriate to acknowledge the legacy with the donor's family and friends, or whether it is appropriate to contact them at all. We must remember that it is for the donor to decide, and in their absence their executor or next of kin, whether or how they wish their gift to be acknowledged and if any ongoing relationship with the family and friends is appropriate.

We can be transparent by offering to send information about the impact each gift has had. Executors and family may wish to collaborate with us in celebrating the donor's generosity and how this has helped the beneficiaries of our charity. However, we should raise this issue sensitively, remembering at all times that each person may be managing feelings of grief in their own way and at their own pace. Sensitivity helps demonstrate our respect for our donors and their loved ones, and we can act with Integrity by maintaining their dignity and respecting their wishes at all times. This helps to protect our reputation, encourages respect for the work we do and, where appropriate, can establish ongoing relationships.

#### Things to think about

- **Who to contact**
- Who is the most appropriate person to contact to express thanks and ask whether any recognition or ongoing contact is appropriate? Is it the executor, or can they be asked to forward information to the next of kin or closest friend?
- Are family and friends aware that we have received their details during the course of the estate administration, or was this received from the copy Will or via Smee & Ford? Do we have their permission to contact them directly? We may want to check our supporter database to check whether they have specifically requested that our charity does not contact them in any way, even for administrative purposes.
- Do the family share the interests of the donor or have they expressed any feelings about the gift to our charity? Will they be interested to know about how the gift has been used, or could this add to any grief they are trying to manage?

- **When to contact**

- When is it appropriate to raise the question of how to acknowledge the gift? We will be aware that individuals handle grief in different ways and at different times – there is not a standard process that fits all.
- At the beginning or end of the administration is it appropriate to offer a leaflet, information sheet or link to our website where the family can find out more about the work their loved one benefited in their own time? We can think about keeping the cost of producing this information proportionate.
- Would it be more appropriate to wait for an opportunity to raise this issue during the course of the administration? For example, if we're speaking to the professional or lay executor over the telephone, the conversation may naturally lead to discussing ways to acknowledge the gift or finding out about the work it has benefitted.

- **What to offer**

- Did the donor record any wishes of how they wanted their gift recognised?
- Have the family asked for a tribute or use of funds that differs from the terms of the Will? Can we accommodate this, and if not can we give a transparent explanation and/or offer an alternative?
- Can our charity offer some form of general recognition for all legacies, particularly if donors and family wish to keep personal details private? It's useful to think carefully about the recognition for gifts before offering this to families, to make sure what we offer does not overpromise, and is proportionate and consistent with recognition we may have given to other donors. To take one example, while some charities may offer a plaque outlining the details of the generous gift, they may have a policy on what wording can be included to ensure consistency for all gifts.
- Is there a specific tribute we can offer? Should this be physical (a plaque, memorial tree, bench, named building, book of remembrance) or online?
- Depending on our decisions on the questions above, we may alternatively want to stress that we will leave it for the family to choose the style of acknowledgement and whether any further contact is appropriate. We will respect their decision.
- Is it appropriate to work with the executors or family to create a tribute to the donor that could be used either within our charity or externally to show our gratitude and explain how important legacies to our charity? How would they like the tribute to be used? Where would we store this information within our organisation, how long would we hold it for and do we need to restrict access to it to ensure it is used sensitively and appropriately?

- **Ongoing communication**

- If we have been passed personal details of family and friends to enable us to discuss acknowledging the legacy or creating a tribute, have we complied with requirements under Data Protection Act for holding information about living individuals? Have we complied with our own charity's Data Protection policy?

- Are we being transparent in our communication about the purpose for contacting them, that this is specifically to discuss the use of the legacy and thank them for it, rather than ongoing marketing and fundraising, and explain how the data will be held and how long for?
- Are we clear on how we can demonstrate the impact of the gift long-term, if the family and friends wish to be contacted? For example, some charities have produced a list giving what specified amounts can provide, such as '£300 can fund X, £500 will provide Y, £10,000 will enable the charity to achieve Z'

### **Further reading and useful links**

- See [Member Toolkit - Examples of wording for communication following the receipt of gifts](#)
- See [Member Toolkit - Dealing with data under the Data Protection Act 1988](#)
- [Information Commissioner's website](#)
- [Fundraising Regulator Code of Fundraising Practice – Legacies](#)
- [Institute of Fundraising](#)