

Fundraising Policy

1. Policy Overview

This policy outlines how students, staff and affiliated student groups may conduct charitable fundraising safely, legally and in alignment with The Students' Union at UWE's charitable obligations.

1.1. Aims of the Policy

- Ensure all fundraising is legal, safe, transparent, and compliant with charity and company law, and therefore safeguard The Students' Union's charitable status and reputation.
- Ensure fundraising aligns with The SU's charitable objectives.
- Protect donors through clear communication about where money is going.
- Provide structured guidance for students organising fundraising activities.

1.2 Scope of the Policy

This policy applies to all fundraising by all affiliated groups (which includes societies and sports clubs) with The Students' Union. This covers fundraising online and in person on or off UWE's campus sites. Affiliated groups are part of the Union's charity and do not have independent legal status, therefore all fundraising is subject to charity law.

1.3. What charitable activities are The Students' Union at UWE legally allowed to engage with?

Ultra vires is a phrase that is used legally to mean 'anything beyond our stated aim'. Being a registered charity, The Students' Union at UWE is governed by charity law, meaning that we cannot spend money or campaign on anything that is ultra vires (beyond our stated aim). Charitable activities must meet the requirements of the Education Act 1994 and align with The Student Union's charitable objects to advance education. The Students' Union is devoted to the educational interests and welfare of its members (issues that affects 'students as students'.)

Under the ultra vires principle, an SU cannot spend its own charitable funds (money from the University block grant or commercial income) on anything that doesn't further its own objects. This is why Students' unions cannot "donate" to other charities. Instead, Students' Unions can facilitate charitable fundraising.

Facilitating student-led fundraising for external charities can be a legitimate charitable activity where it is ancillary to The Students' Union's own charitable purposes. In particular, fundraising activity may be permitted where it provides educational, developmental or experiential benefit to students, including the development of skills such as leadership, organisation, volunteering, teamwork, civic engagement and awareness of social issues. Fundraising for external charities is therefore supported as a means of advancing education and student development, and not as a charitable purpose in itself.

2. Key Charitable Fundraising Rules

Students may be permitted to raise funds for either their own group or for an external approved registered UK charity, subject to approval through the fundraising process. There are rules to comply with, and it is very important that fundraising is conducted appropriately and follows both the law and the Union's policy guidance.

- Fundraising must be legal, honest, open and respectful.
- All causes must be clearly communicated to donors and the charity number displayed. Fund must always go to the originally declared charity.

- Affiliated groups must obtain and hold a 'Letter of Authority' from the chosen charity before fundraising begins, ensuring explicit permission is granted to use the charity's branding and to collect funds on their behalf.
- The SU charity number (1143067) must appear on all group fundraising materials.
- External charity fundraising must be processed via the SU group account.
- No fundraising should go through anyone's personal bank account.
- Physical fundraising requires booking the space and gaining relevant permissions, this could include fundraising permits.
- All Fundraising for external charities must go through affiliated groups account. We will donate it onwards for you.
- Online pages must link directly to the SU's bank account to be processed by SU staff.
- If you sell items on the SU website which includes a donation this must be clear and also include the charity name and number and the contribution being made.

Fundraising Behaviours

All individuals fundraising must ensure that they:

- Comply with GDPR and data protection law.
- Do not mislead, pressure, or incentivise donors.
- Do not take advantage of mistakes made by a donor.
- Treat all donors fairly and respectfully.
- Keep all cash secured and supervised; never leave it unattended. Cash is not insured and the group fundraising will be personally liable.
- Collection buckets or tins must be clearly labelled (Charity name and number) and sealed.

3. Who can affiliated Student's Union groups fundraise for?

The following categories reflect what The Students' Union can lawfully support fundraising for under charity law. These restrictions exist to ensure compliance with the Charities Act 2011, public benefit requirements, and trustee duties, rather than to limit student expression.

1. UK Registered Charities: Organisations with a valid registration number from the Charity Commission (England & Wales), OSCR (Scotland), or the CCNI (Northern Ireland).

2. UK Arms of International Charities: For example, groups can fundraise for "Save the Children UK" or "British Red Cross," even if the money eventually goes abroad.

Societies and groups cannot fundraise for the following as not only would it be a breach of this policy, but also could lead to criminal charges or the loss of the Union's charitable status. All of these are controlled by ensuring group fundraise for registered UK Charity in the charity commission list.

1. Political Parties and Lobby Groups

Example: fundraising for the Labour Party, Conservatives, or groups as a political protest/lobby group is illegal for a charity. This is laid out in the Charities Act 2011, and these groups exist to change the law or gain power, which is not a "charitable purpose" in the UK. Under the Charities Act 2011, an organisation can only be a charity if its purposes are exclusively charitable. "Advancing a political party" is not a charitable purpose. In legal terms, the law cannot determine if a particular political party's success is for the "public benefit" because politics is a matter of opinion, not an objective charitable outcome.

2. Community Interest Companies (CICs)

Despite being "not-for-profit," CICs are not charities and their legal oversight differs.

3. Proscribed (Banned) Organisations

Example: groups on the [Home Office Proscribed List](#). Fundraising for these is a criminal offence (Section 12 of the Terrorism Act). The UK Government maintains a list of organisations that are banned under the Terrorism Act 2000.

4. Individuals or Crowdfunding Causes

Example: "Help my flatmate pay for his flight home" or "Support Sarah's medical bills" are not allowed. This is due to the "Public Benefit" requirement of the Charities Act 2011. Charitable funds must benefit a "sufficient section of the public." An individual does not qualify.

5. Non-UK Registered Charities

The Student's Union at UWE does not allow fundraising for charities registered only abroad (e.g., a local NGO in France) because The Students' Union cannot easily verify their charitable status or ensure the money is spent legally under UK standards. The compliant and safest route is to find a UK-registered charity that operates in that specific region (e.g. DEC appeals) rather than trying to send money directly overseas.

6. Charities under Investigation (Inquiry Status)

If a UK registered charity has an "Open Statutory Inquiry" (a red banner at the top of their page on the charity commission website).

4. Specific Fundraising Rules

4.1. Sale of Goods (for example bake sales and clothing sales)

- Comply with [Natasha's Law](#) by labelling all food ingredients for food items.
- Advertising must clearly state which cause is being supported.
- Suggested prices may be used, but fixed prices are not allowed.

4.2. Raffles and Competitions

- Raffles legally count as lotteries and must comply with gambling regulations.
- A lottery or raffle is a competition in which a person pays for a chance to win.
- To minimise administrative "onus" and costs, we support the two types of lotteries, which do not require a permit from the Local Authority and competitions that are exempt from gambling licencing. If a group wishes to run a raffle or a competition, this needs to be declared in the Event Booking Form to ensure that proposes activity is possible and compliant.
 - Entries and prizes cannot roll over.
 - A small amount of proceeds may be used for prizes but not for other purposes.
 - Promoting a non-compliant lottery is a criminal offence.
 - Tickets must be equally priced and non-transferable.
 - Terms and conditions are a legal requirement for online competitions and depending on scale and nature, may require a gambling license.
- Competition winners can be determined in a number of ways, but this should always be transparent and fair.
- Competitions involving skill may not require a gambling licence.

- A prize competition = a competition where the outcome is determined by the participants skill, judgement, or knowledge, and not solely by chance. To fit this definition, the skill should discourage some people or prevent many from winning.
- Activities such as pub quizzes, games nights, sports matches or dance contests usually meet this requirement.
- Winners can be selected by chance, as long as the first part of the process involves skill.

The Students' Union recognises charitable fundraising as a positive and valuable part of student life and seeks to enable it wherever it can be done safely, legally, and in alignment with our charitable obligations.

For full information and resources to successfully fundraise, [please see our committee hub and website here](#).

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