



CAGP Gives a Refresh to its Code of Ethics

Last month in Gift Planning in Canada, Elizabeth Moxham, legal counsel in the Office of the University Counsel at the University of British Columbia and a member of the CAGP Government Relations Committee, wrote about gift acceptance and ethical considerations regarding financial gifts-in-kind. She spoke at length about CAGP's Code of Ethics, so we thought it might be a good moment to highlight the Code in its entirety, particularly since there has recently been a slight refresh of the process regarding complaints.

As Liz said, "The Code provides that the primary role of the gift planner is to help donors realize their philanthropic goals. The Code requires that gift planners shall act with competence, honesty, integrity and fairness in their relations with donors or prospective donors."

As charitable gift planners, we work in an area fraught with ethical challenges which can threaten the confidence our stakeholders have in us. Our donor or client base is often composed of people in vulnerable situations – the elderly, those without family. We may have access to considerable financial and legal information about our clients or donors. We deal with sensitive and emotional issues such as people's last wishes and the distribution of their worldly possessions.

For all these reasons, the CAGP has a Code of Ethics in place that addresses the particular nuances of strategic charitable gift planning, and also takes into account that our members are both professional fundraisers and professional advisors.

The Code of Ethics expresses CAGP's recognition of the responsibilities of its members to the association, to fellow members, and to others in the gift planning sector, including donors or prospective donors. All members of CAGP are committed to upholding this Code of Ethics and declare this in writing on their acceptance as a member and annually upon their membership renewal.

The CAGP Code of Ethics

1. The Integrity of Members

Members shall act with competence, honesty, integrity and fairness in their relations with donors or prospective donors.

2. The Role of Members

The primary role of members is to both help donors realize their philanthropic goals and to ensure that their contributions respect the objectives of the charitable organization in question.



3. Disclosure of Information

Members have a responsibility to provide donors with accurate and comprehensive information on all aspects of the gift, including the roles of all interested parties.

Members who work on behalf of a charitable organization have a responsibility to inform donors of the mission, the activities of the organization as well as its gift acceptance practices, its processing procedures and fund and endowment management policies.

4. Protection of Interested Parties

Members working for or on behalf of a charitable organization shall encourage donors to consult with their personal and professional advisors in the case of significant and complicated gift transactions. Members have a responsibility to cooperate with other professionals who promote their donor's interests as well as those of the organization they represent.

Members shall not act for nor claim to represent a charitable organization without its knowledge or express consent. Members shall not act as donors' representatives without the donors' consent.

5. Terms and conditions of Gift

Members shall respect the payment schedule and contribution method chosen by donors, insofar as the methods comply with the charitable organization gift acceptance policies or guidelines. The members shall allow donors time for reflection and shall respect their decision-making processes.

In the event that the conditions a gift need to be altered, members shall work in good faith with donors in doing so.

6. Confidentiality

Members shall respect the donor's request for anonymity. Donors' files and the personal and financial information therein contained are the charitable organization's property and shall be kept strictly confidential and in accordance with the privacy legislation in force for the particular jurisdiction.

7. Conflict of Interest

At all times, members shall avoid conflict of interest situations, potential conflict of interest situations or the appearance of conflict of interest. Members shall notify all interested parties of any situation that may present a potential conflict of interest. Unless circumstances are such that this becomes a requirement, members who work on behalf of a charitable organization shall not



agree to act for donors on a personal basis (e.g. as liquidators or executors of wills) so as to avoid any conflict of interest.

8. Remuneration

Members who work on behalf of a charitable organization shall not accept commission based remuneration, nor finder's fees nor shall they derive any monetary benefit from transactions concerning donations or from relationships established with donors as part of their duties.

9. Competence

Members shall be responsible for maintaining their professional skills and for upgrading their knowledge on an ongoing basis.

Members shall be obliged to be aware of and adhere to all guidelines and standards of conduct issued by the Association.

10. Complaints

Complaints should be addressed in writing to the Board of Directors of CAGP, who will review them in confidence and in accordance with the Code of Ethics Complaints Procedure.