

WaterAid's Vulnerable Supporter Policy

Our generous supporters make our work possible and are central to us achieving our mission of reaching everyone, everywhere with clean water, decent sanitation and good hygiene within a generation.

This policy relates to all the relationships between WaterAid and our supporters, regardless of the financial benefits, and extends to include any third parties we may work with who interact with supporters. Third party agencies working on behalf of WaterAid are expected to align with our values and treat all our supporters with the integrity and respect they deserve.

WaterAid's commitment

All fundraisers (both at WaterAid and third party agency partners) are reminded that they should be alert to indicators of potential vulnerabilities in every interaction they have with supporters. We should always abide by our values of respect, integrity and accountability, and be open, honest and transparent with all our supporters to ensure they fully understand what their support involves. We will always strive to provide them with the best possible experience in their relationship with WaterAid, and recognise that our supporters are key to us being able to carry out our work across the world.

Our commitment to our supporters and as a member of the Fundraising Regulator, means we will adhere to the Code of Fundraising Practice Requirements (1.3):

- i. Fundraisers **MUST** take all reasonable steps to treat a donor fairly, enabling them to make an informed decision about any donation. This **MUST** include taking into account the needs of any potential donor who may be in a vulnerable circumstance or require additional care and support to make an informed decision.
- ii. Fundraisers **MUST NOT** exploit the credulity, lack of knowledge, apparent need for care and support or vulnerable circumstance of any donor at any point in time.
- iii. If a fundraiser knows or has reasonable grounds for believing that an individual lacks capacity to make a decision to donate or is in vulnerable circumstances which mean they may not be able to make an informed decision, a donation **MUST NOT** be taken.
- iv. A donation given by someone who lacked capacity at the time of donating **MUST*** be returned. (this is a legal requirement defined by law).
- v. Fundraisers **MUST** take all reasonable steps to avoid asking for regular donations (for example, by direct debit) from anyone aged under 18.

What is vulnerability?

WaterAid recognises that vulnerability is complex and changeable and may, at some stage in life, affect any individual.

A distinction should be drawn between someone who is in a vulnerable circumstance and someone who lacks mental capacity to make a decision. The tests to determine whether someone has mental capacity are set out in law, whereas 'vulnerability' is not a legally defined term. There may be some overlap between the circumstances which cause someone to be vulnerable and the legal tests relating to mental capacity. Someone in a vulnerable circumstance, for instance, with a disability, may still have the capacity to make a decision to donate, but needs additional support to reach that decision.

The Mental Capacity Act 2005 states that this can be defined as an impairment of the functioning of the brain leaving that person unable to make a decision, for example dementia.

As the Fundraising Regulator Guidance [Treating Donors Fairly](#) states '*an individual does not have to have any medical, physical, or mental condition to be in a 'vulnerable circumstance'*'. Instead, something could have happened in their life that makes things difficult for them, meaning that it is harder for them to make decisions, or they are experiencing particular stress or anxiety.

WaterAid therefore understands that vulnerability can be a temporary situation defined by significant life events, such as times of extreme stress and/or anxiety.

It is important for all staff and representatives of WaterAid to remember that there is a wide range of potential vulnerabilities, which can affect different people in different ways. It is important to consider each supporters circumstance individually and refrain from making judgements.

WaterAid also recognises that there are times where an individual may have capacity to make a decision, but circumstances mean they may require extra support in making that decision e.g. if someone is bereaved.

Identifying someone in a potentially vulnerable situation

Examples of indicators which could lead WaterAid to believe that an individual does not have the mental capacity to make an informed decision, is in a vulnerable circumstance, or needs additional support could include:

- Physical and mental medical conditions
- Disability
- Learning difficulties
- Times of stress or anxiety (e.g. bereavement, redundancy)

- Financial vulnerability (where a gift from a donor may impact on their ability to sufficiently care for themselves or leave them in financial hardship)
- Ability to communicate and understand what they are being told (e.g. English not being the donor's first language)
- Influence of alcohol or drugs.
- Age

Due to its nature, it is not possible to provide a comprehensive set of indicators, so these serve as guidance and fundraisers are advised to always remain alert to the potential for vulnerability.

If a fundraiser has grounds to believe a supporter is in a vulnerable situation, or lacks the capacity to make an informed decision, then the interaction with the supporter should be ended in a polite manner protecting their dignity.

WaterAid aims to treat people equally in accordance with the Equality Act 2010, regardless of age, disability, race or any other characteristic. When seeking to identify vulnerable people, WaterAid will not make assumptions based on these characteristics. For example, WaterAid's fundraisers will not assume that an older person is necessarily vulnerable in circumstance solely because of their age; failing to give that person an opportunity to interact with WaterAid simply because of their age could be considered discriminatory.

When would WaterAid not accept a donation

This policy **only** refers to situations where the supporter may be in a vulnerable circumstance, and no other situations where refusing or refunding a donation may need to be considered, for example, if a supporter has changed their mind.

If a supporter lacks the mental capacity to make an informed decision as legislated through the Mental Capacity Act 2005, then any donation from them will be invalid, and should not be taken or must be returned if already made.

When WaterAid has reasonable grounds to believe that a supporter lacks the mental capacity to make an informed decision, including temporary circumstances, about their giving **we should not accept the donation.**

When WaterAid has reasonable grounds to believe an individual has the capacity to make a decision, but might need additional support in doing so, WaterAid will not accept the donation at that moment. It may be considered appropriate to send the supporter a form and advise them to discuss their donation with friends and family before returning it.

When WaterAid should return a donation

If a donation has been made and it is found that at the time of donating the supporter lacked the capacity to make an informed decision about their giving, including temporary circumstances, the donation is deemed invalid and should be returned.

Safeguarding our supporters

Protecting people and safeguarding responsibilities are a key priority for WaterAid, as laid out in our Global Code of Conduct and supporting policies.

As a fundraising organisation we also have a duty or care to ensure we safeguard our supporters. If, in their interaction with us, a supporter indicates that they are a risk to their own, or someone else's safety, we will notify the relevant authorities as we feel necessary for their protection.

We're here to help

If we can be of any assistance, or if you would like more information about this policy please contact Supporter Care team on 020 7793 4594 or email us at supportercare@wateraid.org, or write to WaterAid, 6th Floor, 20 Canada Square, London, E14 5NN