

BACKGROUND

Crawford Art Gallery receives public funding and generates other income to fulfil its statutory obligations and charitable aims. Sponsorship plays a role in meeting the Gallery's objectives of maximising income to support and sustain its activities and ambitions.

The Senior Management Team (The Executive – Director, Head of Operations, Administration Manager and Finance Manager), Ethics Committee and Board will act in the best interests of the Gallery when considering and or deciding to accept or refuse a sponsorship.

The Gallery has a duty to be sensitive to general concerns regarding ethical, societal, and environmental issues of fundraising and recognises the need to conduct fundraising and solicitation of sponsorship responsibly, mitigating potential reputations, financial or actual risk that may result from accepting sponsorships.

The Gallery aims to uphold the highest standard of fundraising practice and to abide by the Charities Regulator's key principles of a fundraising organisation namely : Respect, Honesty and Integrity, Transparency and Accountability.

This document outlines the Gallery's policy for considering sponsorships and managing any associated risks. The policy applies to sponsorship (cash or in kind). Please see Acquisitions Policy for donations of artworks.

GENERAL PRINCIPLES

Crawford Art Gallery will carry out fundraising through sponsorship in compliance with the highest standard of fundraising practice as outlined by the Charities Regulator Guidelines pursuant to section 14 (1) (i) of the Charities Act to encourage and facilitate the better administration and management of charitable organisations (charities).

The Gallery will assess all sponsorships against three principles:

They must:

- support the objectives of the Gallery.
- reflect the mission and values of the Gallery.
- not influence the Gallery's artistic decisions.

CORE PURPOSE OF CRAWFORD ART GALLERY

- To present exhibitions and associated programmes from across the centuries and to foster an engagement with and an understanding of contemporary art and the work of artists
- To manage, expand and hold in trust for future generations our Collection and our Buildings
- Ensure our visitors and diverse communities are at the heart of our work
- To contribute to the cultural and civic life of Cork, the wider city region and Ireland

MISSION OF CRAWFORD ART GALLERY

Crawford Art Gallery through its Programming, Collection and Building -probes the future, contemplates the present and reveals the past creating engaging conversations across the timelines.

As a Not for Profit organization Crawford Art Gallery collects, safeguards, holds in trust, researches, develops and interprets its collection of original art works, and art works on loan for the public benefit.

VALUES OF CRAWFORD ART GALLERY

While proudly located in Cork and engaging with the community, we are national and international in outlook.

We are committed to building the social capital of Cork and the wider City region and to enabling access and engagement with a National Cultural Institution in Cork.

OUR STRENGTHS, OUR WORK

KNOWLEDGEABLE

We promote knowledge sharing in many diverse forms and promote the generation of new insights through Exhibitions, Publication and projects.

SUPPORTIVE AND COLLABORATIVE

We passionately believe in the strength of working collaboratively with artists and building strong partnerships and alliances.

OPEN AND INCLUSIVE

We recognise our collection is public and we are committed to maximising the access we offer all those interested in engaging with the Collection, Exhibitions and Buildings.

GENEROUS AND HOSPITABLE

We recognise the opportunity to be a place that welcomes people and are committed to delivering excellent standards of services to all our audiences.

SPONSORSHIP APPROACH BY GALLERY

Sponsorships may arise because of unsolicited offers from donors and as a result of the Gallery seeking sponsorship from specific donors

in all cases Crawford Art Gallery will consider how a proposal will align with the prospective sponsor and with the objectives and mission of the Gallery.

There are several considerations that the Senior Management Team will consider before accepting a sponsorship that will include:

- Carrying out a risk assessment on all sponsorships
- Understand the objectives and attributes of the brand of the sponsor and what consideration if any that may be requested by the sponsor as part of this agreement.
- Lead time – what timelines are practical and necessary for the sponsor to consider the proposal.

- Drafting and approval of a proposal/business case to include what is the ‘ask’ to be approved in advance by the Director.
- Determine if the Ethics Committee needs to be convened if certain criteria are fulfilled
- Assessing if the sponsorship will be in cash or goods or services in kind.
- Following agreement with the sponsor, use Sponsorship Agreement for signing by Director and sponsor.

RISK ASSESSMENTS

The Senior Management Team is responsible for ensuring sponsorships are evaluated and due diligence checks are carried out.

Following this, If the Senior Management team have concerns around a sponsorship a meeting of the Ethics Committee will be convened to recommend/not recommend to the board for approval.

Further due diligence checks may include requirement of proof of identity and proof of the source of funds.

Our general research, in accordance with Data Protection guidelines and the Gallery’s Privacy Policy, may include reference to Office of the Director of Corporate Enforcement, Companies Registration Office database of disqualified directors and Tax Clearance from the Revenue Commissioners among other sources.

ANONYMOUS SPONSORSHIP

Crawford Art Gallery is not able to accept anonymous offers sponsorship. Such anonymous offers of sponsorship would prohibit a risk assessment.

POLICY IN PRACTICE

The Senior Management Team operates the policy under the delegated authority from the Board of Directors who retain overall responsibility for decisions relating to the Gallery’s acceptance of sponsorship.

The Ethics Committee will be convened consisting of the Chairman of the Board of Directors, Chairman of the Audit and Risk, Chairman of the Finance and Legal and Chairman of the Artistic Policy of which 3 must be present for quorum and at least two of the Senior Management Team.

The role of the Ethics Committee is to review all sponsorships over a value of €25k in any one year and any sponsorships that have been referred by the senior management team following initial due diligence checks.

The Senior Management Team will carry out a general risk assessment by way of due diligence checks on all sponsorships to seek assurance that the acceptance of the sponsorship is in the best interests of the Gallery. The SMT will take into account potential indicators of harm see appendix 3.

In exceptional circumstances the Senior Management Team may seek advice from the Gallery legal counsel, Charities Regulatory Authority or the Department of Tourism, Culture, Arts, Gaeltacht, Sport, and Media and or other institutions as appropriate while conducting these checks.

Senior Management Team will request that a meeting of the Ethics Committee be convened if a donation or sponsorship over €25,000 is offered to the Gallery or if there is an ethical concern regarding the acceptance of any sponsorship.

The Ethics Committee will review the process and findings of the SMT due diligence checks and make a recommendation to the Board regarding the acceptance/non acceptance of the sponsorship.

A sponsorship agreement (TO BE DRAFTED) will be put in place to underpin each sponsorship received over €5,000. This will define the relationship between the Sponsor and the Gallery, what consideration if any, is granted in return for sponsorship received and the general terms and conditions applicable to the sponsorship.

ETHICS / ETHICAL CONSIDERATIONS FOR CRAWFORD ART GALLERY

Ethical issues will be addressed as part of a due diligence checks.

Information will be shared only with those deciding on the risk. All findings will be treated in line with the Gallery's Privacy Policy and in compliance with the Gallery's Data Protection Policy.

This Policy should be read in conjunction with

- Acquisitions Policy
- Sponsorship Agreement (to be drafted)
- Conflict of Interest Policy
- Code of Conduct for Employees
- Code of Conduct for Directors
- Authorities Matrix
- GDPR Policy
- Privacy Policy
- Ethics Committee Terms of Reference – (Appendix 1)
- Charities Act

APPROVAL /REVISION HISTORY

Document Name: SPONSORSHIP ACCEPTANCE POLICY

Document Number: 050

Author: Norma Cuddihy

Reviewed by: Finance & Legal SC 18.05.2022

Approved by: Board May 26th 2022

Next Review Date: May 2023

Date	Revision Description	Rev Change
18/05/2022	New Policy	

APPENDIX 1: ETHICS COMMITTEE FOR SPONSORSHIP ACCEPTANCE

ROLE & RESPONSIBILITIES

The role of the Ethics Subcommittee is to review sponsorship initiatives in development and proposals as per the procedures outlined in the Sponsorship Acceptance Policy and to recommend to the Board for approval or non-approval of the sponsorship offer.

All sponsorships over a value of 25K in any one year or any specific sponsorship offer that is referred to the Ethics Committee by the Senior Management Team will be considered by the subcommittee for recommendation to the Board for approval/non-approval

The responsibilities of the Ethics Subcommittee for Sponsorship Acceptance shall be:

1. To ensure compliance with the Principles of the Sponsorship Acceptance Policy when reviewing any sponsorship offer.
2. To review any sponsorship, offer in excess of 25k
3. To review any sponsorship offer referred by the SMT to the Subcommittee

MEMBERSHIP

The Ethics Committee comprises of the following;

- Chair of the Board of Directors
- Chair of the Finance and Legal Subcommittee
- Chair of the Audit and Risk Subcommittee
- Chair of the Artistic Policy Subcommittee

The committee may seek external advice by agreement as necessary

And the following from the Senior Management Team (SMT)

- Director of the Gallery
- Head of Operations
- Administration Manager
- Finance Manager

Members must have or acquire as soon as possible after their appointment, an understanding of

1. Organisational culture, objectives, and challenges
2. Organisational structure including key relationships e.g., Parent department and relevant Minister.
3. Relevant legislation or other rules governing CAG

INDEPENDENCE

The Ethics Subcommittee for Sponsorship Acceptance will be independent in the performance of its duties and responsibilities and will not be subject to direction or control from any other party other than the Board in the exercise of its duties.

REPORTING REQUIREMENTS

The Ethics Subcommittee for Sponsorship Acceptance will be convened as requested by the SMT and in compliance with the Sponsorship Acceptance Policy.

The Subcommittee will also report its view of its own effectiveness with advice on how it can be strengthened and developed as required.

MEETINGS

The Ethics Subcommittee for Sponsorship Acceptance will convene in the event of a sponsorship in excess of 25K being offered/sought to the Gallery (or if a cumulative amount exceeds 25K in any one year) or in the event that the SMT considers it necessary to consult the Ethics Committee following due diligence checks as per the Sponsorship Acceptance Policy.

A quorum will consist of three members of the Chairs and two members of the Senior Management Team.

In the absence of the Chair of the Board of Directors, an acting chairperson will be selected from Chairs of the Subcommittees attending.

- The committee will also have the authority to request CAG staff to attend committee meetings, as it considers necessary.
- The Committee is authorized to investigate any activity within its scope of responsibilities. It is authorized to obtain outside legal or other independent professional advice and to secure the attendance of outsiders with relevant experience and expertise if it considers this necessary.

INFORMATION REQUIREMENTS

For each meeting the Subcommittee will be provided in advance with the following documents:

- Minutes of the previous meeting
- Agenda for the meeting
- Background and context for the Sponsorship
- Documentation concerning due diligence checks and risk assessment
- Sponsorship Acceptance Policy and other relevant Policies

In addition, and when required the Subcommittee will be provided with:

- Key issues regarding due diligence checks and risk assessment
- Management response considerations of due diligence checks

The minutes of the Ethics Subcommittee for Sponsorship Acceptance will be circulated to the Board.

SIGNED

GUIDELINES FOR INTERNAL PROCESS ONLY – (NOT PART OF POLICY DOCUMENT)

APPENDIX 2

Process for staff when an Offer of Sponsorship is made to Crawford Art Gallery

- Contact your line manager who will bring forward for evaluation by the Senior Management Team
- SMT will carry out due diligence checks
- SMT will seek external advice where necessary
- SMT will convene a meeting of the Ethics Committee for any donation over 25K in any one year or if there is a concern following due diligence checks
- Ethics Committee will recommend/not recommend to the Board for approval
- Decision made to proceed/not proceed with sponsorship/donation to be formally communicated internally.
- Sponsorship agreement drafted, approved, and signed by Director
- If sponsorship is not to proceed Director will formally communicate to the sponsor.

APPENDIX 3

DUE DILIGENCE CHECKS

- Who are the potential sponsors?
- What is known about them – internet checks, third party, company website
- Is there an already established relationship with Crawford Art Gallery
- Does the sponsor align with the 3 Principles of supporting the objectives of the gallery, reflect the integrity and values of the Gallery and does not seek to influence the Gallery's artistic decisions?
- While considering the sponsorship on its own merits consider if it is an occasion to refuse the sponsorship
- Have any public concerns been raised about the sponsor or its activities.
- Is there any condition on the offer of sponsorship?
- What is the mechanism for receipt of sponsorship funds?
- Have the following **ethical issues** been considered.
 1. Is there a reputational risk of accepting the sponsorship/donation?
 2. Is there a perception that the potential sponsor might be seeking to influence activities of Crawford Art Gallery?
 3. If a sponsorship is refused by Crawford Art Gallery is there a clear reasoning based on the delivery of the organisations mission and values.

There are occasions where it is not possible for the Gallery to accept a sponsorship.

The Gallery will refuse a sponsorship if:

- It would be unlawful to accept it (e.g., The Gallery is aware that the sponsorship comprises of the proceeds of crime) or.
- There is significant risk that acceptance may cause harm to the Gallery and any such harm is likely to be disproportionate to the benefit the Gallery will derive from acceptance of the sponsorship.
- The conditions accepted to accepting the sponsorship outweigh its value to the Gallery.
- See potential indicators of harm appendix 3

APPENDIX 4

Potential indicators of Harm

When carrying out due diligence checks potential indicators of harm will be addressed and considered by Gallery research

- Is there an indication that that the source of the sponsorship is alleged to have participated in illegal activities, including financial crime or has previously been found guilty of such a crime.
- Is there an indication that the sponsors professional or personal network status would incur a noteworthy conflict of interest? (Refer Conflict of Interest Policy)
- Is there an indication that the source of sponsorship is affiliated with present or past actions that would be liable to include protest from Gallery stakeholders?
- Is there an indication that that the financial origin of the sponsorship is suspected to be illicit?
- Where there is concern in relation to the criteria, the Gallery will undertake further due diligence to establish the legitimacy of the sponsorship and convene a meeting of the Ethics Committee. This may include requirement of proof of identity and proof of the source of funds. Our general research, in accordance with Data Protection guidelines and the Gallery's Privacy Policy, this could include reference to Office of the Director of Corporate Enforcement, Companies Registration Office database of disqualified directors and Tax Clearance from the Revenue Commissioners among other sources.