



## **DONOR PRIVACY AND CONFIDENTIALITY POLICY**

The Bermuda Community Foundation (BCF) recognizes that the efficient operation of BCF requires the maintenance and management of extensive donor and prospect records. These records may contain sensitive information that has been shared with or developed by BCF staff or volunteers on a confidential basis. ("Records" is construed to mean all files, including electronic data, containing information on donors or prospective donors to BCF.) Donors and prospects may be attracted to BCF on the basis of its ability to assure temporary or permanent anonymity. Respecting donor privacy and protecting donor confidentiality is an essential part of providing good service to donors.

Additionally, care must be taken to preserve confidentiality of discussions that take place and information that is shared in the course of conducting BCF business.

**Confidentiality Statement:** All information about the Bermuda Community Foundation that is not a matter of public record or otherwise duly authorized to be disclosed by the Board or the appropriate officer of the Board shall be considered confidential. Members of the Board, any non-Board members serving on a Board committee, staff, volunteers and contractors shall not disclose to third parties confidential information regarding BCF matters while engaged in the conduct of business on behalf of BCF. Statements of individual Board or committee members and matters discussed in Board meetings shall be considered confidential unless disclosure is duly authorized.

BCF documents, reports, records, data, minutes or analysis of such materials are considered confidential unless made public by Board order. Information about donors, donations, pending grants, investments, contracts and agreements entered into by BCF, policies and procedures of BCF, financial information and business records of BCF are confidential until and unless they are made officially public. All material, information and discussion as part of the grant-making process is confidential and only information made public as part of the grant award will be considered on the public record and thereby not confidential. Board and committee members who have a question concerning what is confidential should seek guidance from the CEO or the Board in a Board meeting.

The purpose of this policy is to codify the position of BCF on donor privacy and confidentiality.

**I. Confidentiality of Records:** The CEO shall be responsible for maintaining the confidentiality of donor and prospect records, as well as fund information. Records will normally be available to staff as needed to fulfill their duties. At the discretion of the CEO, staff may make all or part of any record available to BCF volunteers to assist them in executing their specific responsibilities. BCF's auditors, legal counsel and other contractors are authorized to review donor/prospect and fund records as required for the purposes for which they are engaged.

All persons accessing donor/prospect or fund records in the conduct of BCF business shall maintain the confidentiality of said records. This applies to Initiatives, Special Project and all other fund types. Staff may share information with donors, fund beneficiaries, and grantees pertaining to their own gifts, funds, grants, etc.

Except in those instances, any copies of confidential information shall not be held outside BCF's office for extended periods, and are to be destroyed as soon as possible or as guided by any future BCF policies pertaining to document retention and destruction.

**II. Publication of Donor Names:** Unless otherwise requested by the donor, the names of all individual donors may be printed in BCF's annual report and in other appropriate listings. BCF will not publish the amount of any donor's gift without the permission of the donor. Unless otherwise specified in the document, donors making gifts to BCF by bequest or other testamentary device are deemed to have granted such permission.

**III. Memorial/Tribute Gifts:** The names of donors of memorial or tribute gifts may be released to the honoree, next of kin, or appropriate member of the immediate family, unless otherwise specified by the donor. Gift amounts are not to be released without the express consent of the donor.

**IV. Anonymous Gifts:** The CEO is authorized to accept anonymous gifts to BCF, and to handle them appropriately. With the exception of the Board Chair, the name of the donor and size of the gift may be withheld from the Board of Directors at the CEO's discretion, if so requested by the donor. When made known to Board members, they will respect the anonymity of any such gift.

**V. Giving Categories:** If giving categories have been stipulated for a specific fund drive, challenge grant, or project, or as part of BCF's ongoing recognition program, then the donors, unless they otherwise specify, are deemed to have given permission for BCF to publish their names associated with the particular giving category.

Similarly, BCF may publish giving categories associated with donor names in its annual report, and unless a donor specifies otherwise.

**VI. No Disclosures to Third Parties:** BCF shall not release to third parties or allow third parties to copy, inspect or otherwise use BCF records or other information pertaining to the identification of a donor or donor's gifts. No disclosures to third parties of such information, including addresses and demographic information shall be made without the donor's consent.

**VII. Confidentiality of BCF Business:** Discussions that take place in the context of BCF's operations require discretion, including discussions pertaining to grantmaking, personnel issues, development activities, operational fundraising, investment management, etc. The positions or statements of individual board members, advisors, or staff should not be discussed outside of official BCF meetings and processes. Likewise, the content of BCF business, including documents or BCF analysis of documents, should not be discussed or shared outside official meetings and processes.

**VIII. Discussion of Information:** Confidential information about clients, their families and friends will not be discussed for any reason except on a need-to-know basis.

**IX. Public Disclosure:** BCF will comply with both the letter and spirit of all public disclosure requirements. This Donor Privacy and Confidentiality Policy shall not be construed in any manner to prevent BCF from disclosing information to taxing authorities or other governmental agencies or courts having regulatory control or jurisdiction over BCF.

BCF acknowledges that it has a role to share information about itself. This is evidenced by the Annual Report and similar information. Such items are not confidential information for purposes of this policy.

However, all Board, staff, committee, volunteers, and contractors must hold strictly confidential all information of a private nature, including, but not limited to, all items explicitly discussed in this policy.

**X. Consequences of Policy Violation:** Violations of the Donor Privacy and Confidentiality Policy are considered very serious, and may result in disciplinary action, up to and including dismissal for employees or contractors, or removal from the Board or any committee for volunteers.

**XI. Review:** The Donor Privacy and Confidentiality Policy is to be reviewed annually.

**Approved by BCF Board of Directors:** October 7, 2013

**Next review date:** December 2014

---



**Donor Privacy and Confidentiality Policy  
Compliance Statements**

- I have received a copy of the Door Privacy and Confidentiality Policy.
- I have read the Bermuda Community Foundation’s “Donor Privacy and Confidentiality Policy”.
- I understand the policy’s intent, purpose, and requirements.
- I agree to comply with the policy.
- I acknowledge and agree that all confidential information and/or grant files, contribution files, donor records, donor lists, charitable gift information, resource development data, manuals, letters, contracts, agreements, notes, notebooks, records, reports, memoranda and all other Bermuda Community Foundation (BCF) materials, documents and data used, prepared or collected as part of my work with BCF, in whatever form, are and will remain the property of BCF.
- Accordingly, I agree that at the end of my relationship with BCF, I will destroy or return to BCF all BCF documents and other materials of any kind which constitute or contain any confidential information, in my possession or control, regardless of how stored or maintained, including all originals, copies and compilations and all information stored or maintained on computer, tapes, discs, E-mail or any other form of technology.

Date: \_\_\_\_\_ (Signature)

\_\_\_\_\_  
(Type or Print Name)