



# Apra ethics toolkit

This Tool kit serves as a reference tool for all Apra Members and others, including but not limited to researchers, prospect research managers, data analytics specialists, and development officers.

<p><b>Prospect Research</b></p>	<p>Prospect research is the collection and analysis of information used to identify and enhance partnerships, connections and interests between institutions and others with the goal of advancing an organization's mission and fundraising efforts in support of its mission.</p> <p>Prospect research, together with internal anecdotal and relationship information, helps organizations determine the following:</p> <ul style="list-style-type: none"> <li>• Who to ask and/or engage?</li> <li>• For what project or initiative?</li> <li>• For what size and type of gift?</li> <li>• When to ask and/or engage?</li> </ul> <p>Prospect research helps further the relationship between development officers as agents of an organization's mission and prospective donors for long-term effects.</p>
<p><b>Ethics in Prospect Research</b></p>	<p>All prospect researchers and fundraising professionals should support and further the individual's fundamental right to privacy and protect the confidential information of their institutions. Fundraising professionals should be committed to the ethical collection and use of information, and follow all applicable global, national, state, and local laws, as well as institutional policies, governing the collection, use, maintenance, and dissemination of information in the pursuit of the missions of their institutions. <b>See Ethics Guidelines:</b> <a href="http://www.Aprahome.org/p/cm/ld/fid=110">http://www.Aprahome.org/p/cm/ld/fid=110</a></p>

	<p>Four fundamental principles provide the foundation for the ethical conduct of fundraising research, relationship management, and analytics: integrity, accountability, practice, and conflict of interest.</p> <ul style="list-style-type: none"> <li>• <b>Integrity</b> – Be truthful and transparent with respect to personal identity and purpose and the identity of your institution during the course of your work. Continually strive to increase the recognition and respect of the fundraising, advancement and development professions.</li> <li>• <b>Accountability</b> - Respect the privacy of donors and prospects and conduct your work with the highest level of discretion. Adhere to the spirit as well as the letter of all applicable laws and all policies of your organization. Conduct yourself in the utmost professional manner in accordance with the standards of your organization.</li> <li>• <b>Practice</b> – Take the necessary care to ensure your work is as accurate as possible. Only record data appropriate to the fundraising process and protect the confidentiality of all personal information at all times.</li> <li>• <b>Conflicts of Interest</b> – Avoid competing professional or personal interests. A conflict of interest can create an appearance of impropriety that can undermine confidence in the member, their organization, and the profession.</li> </ul>
<p><b>Ethics In Social Media</b></p>	<p>In the conduct of their work, prospect researchers and fundraising professionals must balance an individual’s right to privacy with the business needs of the institution to collect, analyze, record, maintain, use, and disseminate information. Social media outlets create extraordinary opportunities for the practice of prospect research. However, because users are not passive participants in social media, but engage with and participate in it both personally and professionally, the use of social media presents unique challenges to the ethical conduct of research. These guidelines have been created to assist professionals in making ethical choices about the use of social media in their fundraising</p>

research activities. **See Social Media Guidelines -**  
<http://www.Aprahome.org/p/cm/ld/fid=110>

- **Integrity** — Exercise transparency with respect to your identities, the identity of your institution, your relationship with it, and to the purpose of your online presence and communication. Institutional guidelines regarding social media use should be adhered to. All communication should be truthful, and respect other third-party rights in online space. Be mindful, professional and respectful regarding all content shared. Remember that content is public and permanent.
- **Accountability** – Respect the privacy of individuals and conduct your work with the highest level of professionalism and discretion. Maintain appropriate boundaries when gathering and sharing information. All information gathered from social media sites should be considered confidential and be shared only with authorized organizational staff as part of standard business operations. No private or confidential institutional or individual information should be posted, shared, or disclosed to the public without specific authorization.
- **Practice** — When gathering, communicating, storing, and protecting information, take all necessary precautions, and comply with federal, state, and institutional regulations. Only record and disclose information appropriate to fundraising activities which is legally available to be maintained in a secure database of record. Ensure information gathered via social media is verified by other sources to ensure it is as accurate as possible.
- **Conduct** — As social media is highly relational and public, the use of this information should adhere to the highest standards of professional communication and fundraising and development professionals shall conduct themselves in a manner that encourages positive relationships to the institution which they represent and assists in achieving its goals. Be mindful that information posted in one context may be publicized in another. Members should always be

	<p>aware that they are accountable for all online behavior, and adhere to all standards of professional conduct and business practices.</p> <ul style="list-style-type: none"> <li>• Caution – <b>Don't create fake profiles.</b> It's unethical, unprofessional, deceptive and unacceptable. See social media guidelines for further information regarding ethics and social media research practices.</li> </ul>
<b>LinkedIn Guidelines</b>	<p>As a continuation of Social Media Guidelines, read Apra's LinkedIn Statement here  - <a href="http://www.Aprahome.org/p/cm/ld/fid=109">http://www.Aprahome.org/p/cm/ld/fid=109</a>.</p>
<b>Sharing Prospect Research</b>	<p>Prospect research reports should be used as internal documents only and are not intended for public distribution or for publication. Prospect research is intended to provide background information (wealth, philanthropy, biographical data, interests, and internal data) for the intended reader to assist in fundraising purposes only. This information should always be considered highly private and confidential.</p> <p><b>Best Practice:</b></p> <ul style="list-style-type: none"> <li>• Include a method of sharing your research. Set internal guidelines regarding methods of sharing confidential data internally, such as using a secure file sharing server or password protecting files when sending via email.</li> </ul> <p>Due to its highly confidential nature, prospect research should not be used:</p> <ul style="list-style-type: none"> <li>• As a bio for an introduction at a public function;</li> <li>• For use in publications.</li> </ul> <p>Why? Because the information found (even in its condensed form) might not be what the prospect wants the public to see and could potentially jeopardize a gift or relationship.</p> <p><b>Best Practice:</b></p> <ul style="list-style-type: none"> <li>• Call a prospect for his/her official picture and bio. This gives development officers an opportunity to further connect with the prospect and gives that prospect a way to share his/her "official" accomplishments.</li> </ul>
<b>List Sharing</b>	<p>Internal information should be used for internal advancement purposes only. Never share lists with volunteers, key stakeholders,</p>

	<p>grateful patients, students, and/or alumni. For officials within your institution (e.g., executives, administration), create a policy regarding:</p> <ul style="list-style-type: none"> <li>• Who may use the information?</li> <li>• Which specific information may be shared?</li> <li>• What specific purpose it may be used for?</li> <li>• How it should be shared?</li> <li>• How it should be destroyed after use?</li> </ul>
<b>List Collection</b>	<p>Use care when collecting, researching, and distributing list information as you would with any other prospect research document.</p> <ul style="list-style-type: none"> <li>• In higher education, gathering lists from Financial Aid – acceptable practice.</li> <li>• Gathering lists from your organization (including but not limited to, supporters/members, performance attendees, event attendees, etc.) – acceptable practice.</li> <li>• Gathering lists from outside organizations (for proactive prospecting) – acceptable practice.</li> </ul>
<b>List Collection – using FEC Data</b>	<ul style="list-style-type: none"> <li>• Using FEC data in our sector is this: we are restricted from soliciting contributions from people FOUND via the FEC data. So the data cannot be used to generate prospects. If the person's name is already on file/in an organization's database, then, yes, the data from FEC can be used.</li> </ul>
<b>Contact Information Sharing</b>	<ul style="list-style-type: none"> <li>• This should be used for specific internal purposes only.</li> <li>• Never share constituent's personal information with anyone outside of your department and only for its intended use (e.g., event list, prospecting, etc.).</li> <li>• A confidentiality statement/disclaimer could also contain: "By possessing this document, I acknowledge my responsibility for maintaining the confidentiality, integrity, and application of this data; I agree to store, transmit, and dispose of this document securely; and I agree only to share with authorized users in a secure manner."</li> </ul>
<b>Controlled Access to Information:</b>	<p>In the conduct of work, prospect development and fundraising professionals must consider who has access to personally identifiable information (PII) and financial data that is collected during the process of research within the organization.</p>

	<ul style="list-style-type: none"> <li>• Does the organization have a policy regarding what security measures are in place to protect stored information?</li> <li>• Does the organization have guidelines and safeguards in place to control access to such information?</li> <li>• Are there time limits put in place to end access to information when a professional leaves the organization?</li> </ul> <p><b>Best Practice:</b></p> <ul style="list-style-type: none"> <li>• Work with your development officers to determine the best method of sharing prospect research information within your organization. See Apra’s Ethics Guidelines for considerations for writing your own confidentiality statement.</li> </ul>
<p><b>Social Security Numbers</b></p>	<p>The members of the Apra Ethics Committee and Compliance Committee do not use personal identification number (e.g., social security or SIN numbers) in the context of their prospect research work; however, some other organizations may have policies regarding use, including Pensacola State University. See guidelines below:</p> <ul style="list-style-type: none"> <li>• <b>See Pensacola State University - policy on Social Security number use</b> - <a href="https://www.pensacolastate.edu/docs/studentPolicy/SSNpolicy.pdf">https://www.pensacolastate.edu/docs/studentPolicy/SSNpolicy.pdf</a></li> </ul>
<p><b>Net Worth</b></p>	<p>"Remember: Net worth implies knowing about someone’s liabilities in addition to their assets. As prospect researchers, we only have information available to us, which is in the public domain. For example, we never access credit reports, meaning we don’t have access to the debt that is carried by an individual. Therefore, a true picture of net worth is not really possible." From <i>The NonProfit Times</i>, "NPT Blog: Prospect Research: It's More Than Net Worth," Maria Semple, 11/8/2013.</p> <ul style="list-style-type: none"> <li>• <b>To note:</b> If the phrase “net worth” is to be used, it should be SOURCED (for example, Larkspur Data reports an estimated net worth of \$10M - \$19.9M, 2/18/2016).</li> </ul>
<p><b>Obtaining and Use of Emails from Outside</b></p>	<p>Best Practices include:</p> <ul style="list-style-type: none"> <li>• See ePhilanthropy email ethics policy as well as related documents including but not limited to, CASE, AFP, and AASP.</li> </ul>

your  
Organization

- Unless your organization already has a relationship with the individual, do not email them other than with an introductory note offering them an opt-out.
- In higher education, membership programs, schools, and colleges may collect emails and if their use is clearly stated to comply with FERPA, then in theory there is no ethical issue. An opt-out should be included in all email correspondence.
- Healthcare institutions are allowed to collect email addresses from patients, and if their use is clearly stated to comply with HIPAA, CDNA, etc., then in theory there is no ethical issue. Patients, or their guarantors, are required to be given the opportunity to opt-out of any email communications from the healthcare institution, for fundraising purposes, and that opportunity must be “clear and conspicuous” on any form reviewed/signed by the patient/guarantor.
- Source your opt-in approval from the prospect as applicable with the date. That way you can reference back to that communication if needed.
- On a practical note:
  - Consider the prospect. If reaching out to a prospect via an outside email might pose a risk (i.e., jeopardize a relationship), then it’s not worth it. Think about what is the affinity for the organization and what is the organization’s strategy for approaching that person.
  - If you do contact a prospect using a “found/harvested” email, anticipate the prospect asking, “How did you get my email address?” If you can't answer that in the most reassuring way, it is advised to not use that email.
  - Consider not using emails such as Gmail, AOL, Yahoo!, etc., which are more likely to be personal.
  - You can use information from a vendor to confirm emails from public sites.
  - If you can't find an email address - find other means of communication (phone, LinkedIn InMail, letter).

<p><b>Working with Vendors</b></p>	<ul style="list-style-type: none"> <li>• Do your research when looking for a vendor.</li> <li>• Make sure the vendor you choose has some successful history and good reputation for the work you are considering for your organization.</li> <li>• Make sure your vendor agreements are clear and specific about how they will handle your organization’s data, especially when working with new vendors.</li> <li>• The Apra Ethics Committee does not endorse products – we recommend you evaluate the possible ethical issues of a vendor/product in the context of your own organization and personal ethical values, including any legal considerations. We also always suggest consulting your organization’s internal legal counsel for advice/opinion on products/vendors and terms of service.</li> </ul>
<p><b>Working with Development Officers</b></p>	<p>Make sure your development officers understand and share the confidential nature of all Prospect Research documents and best practices for its use.</p> <p><b>Best Practices</b></p> <p>Set up guidelines/template for development officers and advancement team members so they know what you need from them to conduct a smart search.</p> <p><b>Prospect Research Request Template:</b></p> <ul style="list-style-type: none"> <li>✓ Name:</li> <li>✓ Home Address, City State</li> <li>✓ Employer/Title</li> <li>✓ Please include any other information you may know about the prospect/donor (e.g., family relations, hobbies/interests, professional and/or community affiliations, etc.)</li> </ul>
<p><b>Customization for your Organization</b></p>	<p>Create a statement of ethics and confidentiality for your organization – see sample code of ethics for nonprofits - <a href="https://www.councilofnonprofits.org/tools-resources/code-of-ethics-nonprofits">https://www.councilofnonprofits.org/tools-resources/code-of-ethics-nonprofits</a></p> <p>Create a profile header/footer that indicates its <b>confidentiality and intentions for use.</b></p> <p><b>Examples of headers/footers:</b></p>



	<ul style="list-style-type: none"> <li>• By possessing this document, I acknowledge my responsibility for maintaining the confidentiality, integrity, and application of this data; I agree to store, transmit, and dispose of this document securely; and I agree only to share with authorized users in a secure manner.</li> <li>• This document contains confidential information and was prepared only for use by YOUR ORGANIZATION NAME staff and volunteers. The information was obtained from public sources, interviews, and/or internal records. Information contained in this document was confirmed via publicly-available resources; however, some of the sources may contain errors and omissions. Corrections and additions should be sent to YOUR NAME/EMAIL OR YOUR SUPERVISOR'S NAME/EMAIL.</li> </ul>
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**Prospect Research Links of Interest**

<b>Apra Partners in Fundraising</b>	<p>The Association for Professional Researchers for Advancement (Apra) is the premier international organization serving professionals in <a href="#">Prospect Development</a>, the strategic arm of an organization’s fundraising operation. Apra provides leading-edge educational and networking opportunities, establishes and promotes high professional standards and ethical guidelines, and serves as a representative voice for the profession.</p> <p><b>Apra Website</b> - <a href="http://www.Aprahome.org/p/cm/ld/fid=7">http://www.Aprahome.org/p/cm/ld/fid=7</a></p>
<b>Apra Ethics Guidelines</b>	<p>Established in 2014, this guide is designed to help each organization develop a tailored system that will ensure the confidentiality and security of information and materials involved in the work of development professionals and the organization/s for which we work.</p> <p><b>Apra Ethics Guidelines</b> - <a href="http://www.Aprahome.org/p/cm/ld/fid=110">http://www.Aprahome.org/p/cm/ld/fid=110</a></p>
<b>Apra Social Media Ethics Statement</b>	<p>Approved in 2013, The Social Media Ethics Statement was created to assist Apra members in making ethical choices about the use of social media in their fundraising research activities.</p> <p><b>Apra Social Media Guidelines</b> - <a href="http://www.Aprahome.org/p/cm/ld/fid=110">http://www.Aprahome.org/p/cm/ld/fid=110</a></p>
<b>AFP Code of Ethical Standards</b>	<p>Adopted in 1964 and amended in 2014, the Association of Fundraising Professionals (AFP) Code of Ethical Standards is</p>

	<p>designed to help development officers adhere to the highest standards of ethical behavior in their fundraising work.</p> <p><b>AFP Code of Ethical Standards</b>  - <a href="http://www.afpnet.org/files/ContentDocuments/CodeofEthics.pdf">http://www.afpnet.org/files/ContentDocuments/CodeofEthics.pdf</a></p>
<b>DMA Direct Marketing Association</b>	<p>Permission at a glance: <b>DMA’s Marketing Permissions Guidance</b>  <a href="https://thedma.org/resources/compliance-resources/permission-at-a-glance-dmas-marketing-permissions-guidance/">https://thedma.org/resources/compliance-resources/permission-at-a-glance-dmas-marketing-permissions-guidance/</a></p>
<b>CAN-SPAM Rule, Federal Trade Commission</b>	<p><a href="https://www.ftc.gov/enforcement/rules/rulemaking-regulatory-reform-proceedings/can-spam-rule">https://www.ftc.gov/enforcement/rules/rulemaking-regulatory-reform-proceedings/can-spam-rule</a></p>
<b>ePhilanthropy</b>	<p>ePhilanthropy endorses the following Code of Ethical Online Philanthropic Practices, developed by the ePhilanthropy Foundation, a non-profit organization created to foster the effective and safe use of the Internet for philanthropic purposes.</p> <p><b>ePhilanthropy Code of Ethical OnLine Practices</b>  <a href="http://www.charitynavigator.org/index.cfm/bay/content.view/cpid/95#.Vtha9vkrJhE">http://www.charitynavigator.org/index.cfm/bay/content.view/cpid/95#.Vtha9vkrJhE</a></p>
<b>HIPAA</b>	<p>The Health Insurance Portability and Accountability Act of 1996, HIPAA is a United States legislation that provides data privacy and security provisions for safeguarding medical information.</p> <p><b>HIPAA</b> - <a href="http://www.hhs.gov/hipaa/for-professionals/privacy/">http://www.hhs.gov/hipaa/for-professionals/privacy/</a>  <b>HIPAA and Fundraising</b> - <a href="http://www.bricker.com/resource-center/hipaa/key-resources/resource/hipaa-privacy-regulations-other-requirements-relating-to-uses-and-disclosures-of-phi-fundraising-%C2%A7-164514f-371">http://www.bricker.com/resource-center/hipaa/key-resources/resource/hipaa-privacy-regulations-other-requirements-relating-to-uses-and-disclosures-of-phi-fundraising-%C2%A7-164514f-371</a>  <a href="https://www.aamc.org/download/376966/data/hipaa_advisory.pdf">https://www.aamc.org/download/376966/data/hipaa_advisory.pdf</a></p> <p>Also – eBook, <i>Fundraising Under HIPAA</i>, is available through the Association for Healthcare Philanthropy website.</p>
<b>FERPA</b>	<p>The Family Educational Rights and Privacy Act (FERPA) is a United States Federal law that protects the privacy of student education records. The law applies to all schools that receive funds under an applicable program of the U.S. Department of Education. Family Educational Rights and Privacy Act , FERPA  FERPA - <a href="http://www2.ed.gov/policy/gen/guid/fpco/ferpa/index.html">http://www2.ed.gov/policy/gen/guid/fpco/ferpa/index.html</a></p>

<b>Digital Impact</b>	Managing and governing digital data in ways that advance your mission and respect the rights of the people you serve is a core capacity of foundations and nonprofits. While digital data hold tremendous promise for how we do our work in the social sector, they also raise new challenges. Digital data should be viewed as both an asset and a liability. This site, produced by the Stanford Center on Philanthropy and Civil Society, allows an organization to explore its necessity for various data policies, including privacy policies. <a href="https://digitalimpact.io/">https://digitalimpact.io/</a>
<b>The Privacy Act of 1974</b>	<b>The Privacy Act of 1974</b> establishes a code of fair information practices that governs the collection, maintenance, use, and dissemination of information about individuals that is maintained in systems of records by federal agencies. A system of records is a group of records under the control of an agency from which information is retrieved by the name of the individual or by some identifier assigned to the individual. <a href="http://www.justice.gov/opcl/privacy-act-1974">http://www.justice.gov/opcl/privacy-act-1974</a>
<b>PII</b>	Personally identifiable Information ( <b>PII</b> ) is defined as "information which can be used to distinguish or trace an individual's identity, such as their name, social security number, biometric records, etc., alone, or when combined with other personal or identifying information which is linked or linkable to a specific individual, such as date and place of birth, mother's maiden name, etc." <a href="http://www.gsa.gov/portal/content/104256">Rules and Policies – Protecting PII – Privacy Act - http://www.gsa.gov/portal/content/104256</a>
<b>Donor Bill of Rights</b>	<b>The Donor Bill of Rights</b> was created by the Association of Fundraising Professionals (AFP), the Association for Healthcare Philanthropy (AHP), the Council for Advancement and Support of Education (CASE), and the Giving Institute: Leading Consultants to Non-Profits. It has been endorsed by numerous organizations. <a href="http://www.afpnet.org/ethics/enforcementDetail.cfm?ItemNumber=3359">http://www.afpnet.org/ethics/enforcementDetail.cfm?ItemNumber=3359</a>

**Canadian Links**

<b>Canadian Regulations</b>	
<b>CASL Canada's Anti-Spam Law</b>	Deloitte Q&A regarding the Law - <a href="https://www2.deloitte.com/ca/en/pages/risk/articles/canada-anti-spam-law-casl-faq.html">https://www2.deloitte.com/ca/en/pages/risk/articles/canada-anti-spam-law-casl-faq.html</a>

PIPEDA	<p><b>Personal Information Protection and Electronic Documents Act,</b> PIPEDA is a Canadian law relating to data privacy. It governs how private sector organizations collect, use and disclose personal information in the course of commercial business. In addition, the Act contains various provisions to facilitate the use of electronic documents.</p> <p><a href="https://www.priv.gc.ca/leg_c/leg_c_p_e.asp">https://www.priv.gc.ca/leg_c/leg_c_p_e.asp</a></p>
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**European Union Links**

<b>European Union Regulations and Related Links</b>	
<p><b>Advancem ent Services in the European Market</b></p>	<p>OverDrive Presentation <a href="http://www.aprahome.org/p/do/sd/sid=4166&amp;fid=5809&amp;req=direct">http://www.aprahome.org/p/do/sd/sid=4166&amp;fid=5809&amp;req=direct</a></p>
<p><b>The Right to Be Forgotten</b></p>	<p>The <i>right to be forgotten</i> is a concept discussed and put into practice in the European Union (EU) and Argentina since 2006. The issue has arisen from desires of individuals to "determine the development of their lives in an autonomous way, without being perpetually or periodically stigmatized as a consequence of a specific action performed in the past."</p> <p><a href="http://ec.europa.eu/justice/data-protection/files/factsheets/factsheet_data_protection_en.pdf">http://ec.europa.eu/justice/data-protection/files/factsheets/factsheet_data_protection_en.pdf</a></p>
<p><b>General Fundraising Guidance</b></p>	<ul style="list-style-type: none"> <li>• IoF Spotlight Series – ICO approved guidance on legacy, major donor, community and trusts fundraising : <a href="https://www.institute-of-fundraising.org.uk/guidance/research/get-ready-for-gdpr/spotlight-series/">https://www.institute-of-fundraising.org.uk/guidance/research/get-ready-for-gdpr/spotlight-series/</a></li> <li>• Data Protection Network guidance on legitimate interest: <a href="https://www.dpnetwork.org.uk/dpn-legitimate-interests-guidance/">https://www.dpnetwork.org.uk/dpn-legitimate-interests-guidance/</a></li> </ul>
<p><b>ICO (UK) Information Commissio ner’s Office</b></p>	<p>The UK’s independent authority set up to uphold information rights in the public interest, promoting openness by public bodies and data privacy for individuals.</p> <p><a href="https://ico.org.uk/">https://ico.org.uk/</a></p>
<p><b>ICO Guidance on</b></p>	<p>Organisations are expected to be fully-compliant by May 25<sup>th</sup>, 2018, but should have a plan in place and have a key plan</p>

<p><b>Legitimate Interests</b></p>	<p>(consent mailings and privacy update statements to supporters) out before this date.</p> <ul style="list-style-type: none"> <li>• As of March 2018 - <a href="https://ico.org.uk/media/for-organisations/guide-to-the-general-data-protection-regulation-gdpr/legitimate-interests-1-0.pdf">https://ico.org.uk/media/for-organisations/guide-to-the-general-data-protection-regulation-gdpr/legitimate-interests-1-0.pdf</a></li> <li>• IoF Spotlight Series – ICO approved guidance on legacy, major donor, community and trusts fundraising : <a href="https://www.institute-of-fundraising.org.uk/guidance/research/get-ready-for-gdpr/spotlight-series/">https://www.institute-of-fundraising.org.uk/guidance/research/get-ready-for-gdpr/spotlight-series/</a></li> <li>• Data Protection Network guidance on legitimate interest: <a href="https://www.dpnetwork.org.uk/dpn-legitimate-interests-guidance/">https://www.dpnetwork.org.uk/dpn-legitimate-interests-guidance/</a></li> </ul> <p><u>Prospect research specific guidance</u>  Researching supporters and potential donors is lawful under GDPR when it is done in a fair and transparent way. Several organisations have produced guidance on the subject:</p> <ul style="list-style-type: none"> <li>• IoF and More Partnership's Connecting People to Causes: A Practical Guide to Fundraising Research': <a href="https://www.institute-of-fundraising.org.uk/about-us/news/the-institute-of-fundraising-publish-guide-on-prospect-research/">https://www.institute-of-fundraising.org.uk/about-us/news/the-institute-of-fundraising-publish-guide-on-prospect-research/</a></li> <li>• Factory's guide to legitimate interest and prospect research: <a href="https://www.factory.com/docs/Factory_Legitimate_Interests_and_Prospect_Research.pdf">https://www.factory.com/docs/Factory_Legitimate_Interests_and_Prospect_Research.pdf</a></li> <li>• Factory's guide to a GDPR compliant wealth-screening: <a href="https://www.factory.com/docs/Factory_Guide_to_GDPR_Compliant_Screenings.pdf">https://www.factory.com/docs/Factory_Guide_to_GDPR_Compliant_Screenings.pdf</a></li> </ul> <p>Prospecting for Gold guidance on data protection: <a href="http://prospectingforgold.co.uk/files/2615/2450/8155/Prospect_Research_Wealth_screening_and_Data_Protection_29th_March_2018_2.pdf?utm_source=Prospecting%20for%20Gold&amp;utm_medium=email&amp;utm_campaign=9404114_GDPR%20and%20Prospect%20Research%20%E2%80%93%20our%20latest%20briefing&amp;dm_i=5G9,5LK9E,67CVO6,LR2Q8,1">http://prospectingforgold.co.uk/files/2615/2450/8155/Prospect_Research_Wealth_screening_and_Data_Protection_29th_March_2018_2.pdf?utm_source=Prospecting%20for%20Gold&amp;utm_medium=email&amp;utm_campaign=9404114_GDPR%20and%20Prospect%20Research%20%E2%80%93%20our%20latest%20briefing&amp;dm_i=5G9,5LK9E,67CVO6,LR2Q8,1</a></p> <p><b>Additional links of Interest</b></p>
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	<ul style="list-style-type: none"> <li>• Consent draft guidance: <a href="https://ico.org.uk/media/about-the-ico/consultations/2013551/draft-gdpr-consent-guidance-for-consultation-201703.pdf">https://ico.org.uk/media/about-the-ico/consultations/2013551/draft-gdpr-consent-guidance-for-consultation-201703.pdf</a></li> <li>• Legitimate interest guidance: <a href="https://ico.org.uk/media/for-organisations/guide-to-the-general-data-protection-regulation-gdpr/legitimate-interests-1-0.pdf">https://ico.org.uk/media/for-organisations/guide-to-the-general-data-protection-regulation-gdpr/legitimate-interests-1-0.pdf</a></li> <li>• Data Privacy Impact Assessment draft guidance: <a href="https://ico.org.uk/about-the-ico/ico-and-stakeholder-consultations/data-protection-impact-assessments-dpias-guidance/">https://ico.org.uk/about-the-ico/ico-and-stakeholder-consultations/data-protection-impact-assessments-dpias-guidance/</a></li> <li>• Privacy notices, transparency and control: <a href="https://ico.org.uk/for-organisations/guide-to-data-protection/privacy-notices-transparency-and-control/">https://ico.org.uk/for-organisations/guide-to-data-protection/privacy-notices-transparency-and-control/</a></li> </ul>
<b>Institute of Fundraising</b>	Article on Good Asking - <a href="https://www.institute-of-fundraising.org.uk/guidance/research/good-asking/">https://www.institute-of-fundraising.org.uk/guidance/research/good-asking/</a>
<b>The IOF response to the ICO request for feedback on profiling and automated decision making.</b>	<p>May 11, 2017 - The Institute of Fundraising's responded to the ICO's request for feedback on profiling and automated decision making. We expect a final draft will be published in the Spring of 2018.</p> <p><a href="http://www.institute-of-fundraising.org.uk/library/ico-profiling-feedback-from-iof/">http://www.institute-of-fundraising.org.uk/library/ico-profiling-feedback-from-iof/</a></p>
<b>Prospect Research Specific Guidance</b>	<p>Researching supporters and potential donors is lawful under GDPR when it is done in a fair and transparent way. Several organisations have produced their own guidance on the subject:</p> <ul style="list-style-type: none"> <li>• IoF and More Partnership's Connecting People to Causes: A Practical Guide to Fundraising Research': <a href="https://www.institute-of-fundraising.org.uk/about-us/news/the-institute-of-fundraising-publish-guide-on-prospect-research/">https://www.institute-of-fundraising.org.uk/about-us/news/the-institute-of-fundraising-publish-guide-on-prospect-research/</a></li> <li>• Factory's guide to legitimate interest and prospect research: <a href="https://www.factory.com/docs/Factory_Legitimate_Interests_and_Prospect_Research.pdf">https://www.factory.com/docs/Factory_Legitimate_Interests_and_Prospect_Research.pdf</a></li> <li>• Factory's guide to a GDPR compliant wealth-screening: <a href="https://www.factory.com/docs/Factory_Guide_to_GDPR_Compliant_Screenings.pdf">https://www.factory.com/docs/Factory_Guide_to_GDPR_Compliant_Screenings.pdf</a></li> </ul>

	<ul style="list-style-type: none"> <li>Prospecting for Gold guidance on data protection: <a href="http://prospectingforgold.co.uk/files/2615/2450/8155/Prospect_Research_Wealth_screening_and_Data_Protection_29th_March_2018_2.pdf?utm_source=Prospecting%20for%20Gold&amp;utm_medium=email&amp;utm_campaign=9404114_GDPR%20and%20Prospect%20Research%20%E2%80%93%20our%20latest%20briefing&amp;dm_i=5G9,5LK9E,67CVQ6,LR2Q8,1">http://prospectingforgold.co.uk/files/2615/2450/8155/Prospect_Research_Wealth_screening_and_Data_Protection_29th_March_2018_2.pdf?utm_source=Prospecting%20for%20Gold&amp;utm_medium=email&amp;utm_campaign=9404114_GDPR%20and%20Prospect%20Research%20%E2%80%93%20our%20latest%20briefing&amp;dm_i=5G9,5LK9E,67CVQ6,LR2Q8,1</a></li> </ul>
<b>WealthEngine to retire from the UK</b>	<p>May 31, 2017 - Wealth Engine released a statement stating that they would no longer be operating in the UK from the end of May 2017.</p> <p>“The state of the fundraising business in the United Kingdom is changing, due to the evolving privacy regulation and recent actions taken by regulatory bodies. Questions have been raised over how wealth screening and prospect research services comply with the requirements of the Data Protection Act 1998 and Privacy Regulations. There has also been interest around whether such services will meet requirements of the General Data Protection Regulation (GDPR) which is due to be enforced in May 2018. These changes in the landscape have caused market uncertainty, that has negatively impacted the UK business of WealthEngine and the company has decided to retire its UK products effective May 31, 2017.”</p> <p>Other service providers are still working through GDPR and compliance issues and have yet to publically release statements relating to GDPR.</p>
<b>Data Protection Network (DPN)</b>	<p>This is the second version of its informal guidance on legitimate interest, which includes a prospect research example on page 11: <a href="https://www.dpnetwork.org.uk/">https://www.dpnetwork.org.uk/</a> (free sign up)</p> <p>DPN has also produced some articles on Privacy Shield agreement and US compliance with GDPR.</p>
<b>Data Privacy Impact Assessments</b>	<p>The ICO recommends conducting Data Privacy Impact Assessments to better understand how your organisation uses and processes personal data and to identify any weaknesses in GDPR compliance and practices that needs to be addressed. The ICO has produced some draft guidance as part of a consultation process which closes on 13<sup>th</sup> April 2018: <a href="https://ico.org.uk/for-organisations/guide-to-the-general-data-protection-regulation-gdpr/accountability-and-governance/data-protection-impact-assessments/">https://ico.org.uk/for-organisations/guide-to-the-general-data-protection-regulation-gdpr/accountability-and-governance/data-protection-impact-assessments/</a></p>

<b>Data Protection Impact Assessment</b>	The ICO has provided a template for documenting the processing of personal data as a guide: <a href="https://ico.org.uk/media/about-the-ico/consultations/2258461/dpia-template-v04-post-comms-review-20180308.pdf">https://ico.org.uk/media/about-the-ico/consultations/2258461/dpia-template-v04-post-comms-review-20180308.pdf</a>
<b>EU &amp; the Privacy Shield</b>	<p>GDPR will introduce a much wider geographical scope and regulate personal data of EU residents processed/stored anywhere in the world. The Privacy Shield is still waiting on confirmation from the EU, but it's likely that it would be harder to transfer data from the EU to the US, and that any US servers storing EU personal data will have to follow stricter regulations. What this will look like in practice has yet to be determined.</p> <p><i>UPDATE, October 18, 2017: First review by the European Commission shows the EU US Privacy Shield works but its implementation can be improved.</i> <a href="http://europa.eu/rapid/press-release_IP-17-3966_en.htm">http://europa.eu/rapid/press-release_IP-17-3966_en.htm</a></p> <p><a href="https://www.privacyshield.gov/welcome">https://www.privacyshield.gov/welcome</a></p> <p><a href="https://ec.europa.eu/info/law/law-topic/data-protection/data-transfers-outside-eu/eu-us-privacy-shield_en">https://ec.europa.eu/info/law/law-topic/data-protection/data-transfers-outside-eu/eu-us-privacy-shield_en</a></p>
<b>Researchers in Fundraising (RiF)</b>	<p>Researchers in Fundraising (RiF) is a Special Interest Group of the Institute of Fundraising and is the leading representative body for prospect researchers in the UK.</p> <p><a href="http://www.institute-of-fundraising.org.uk/groups/sig-researchers/about-us/">http://www.institute-of-fundraising.org.uk/groups/sig-researchers/about-us/</a></p>
<b>The Institute of Fundraising (IOF); The Code of Fundraising Practice</b>	<p>The Code of Fundraising Practice represents the standards expected of all Institute of Fundraising members, set by the fundraising community through the work of the Institute of Fundraising's Standards Committee. Additions have been made to the Code as at March 2016:</p> <p><a href="http://www.institute-of-fundraising.org.uk/code-of-fundraising-practice/sections/">http://www.institute-of-fundraising.org.uk/code-of-fundraising-practice/sections/</a></p> <p><a href="http://www.institute-of-fundraising.org.uk/code-of-fundraising-practice/code-changes/">http://www.institute-of-fundraising.org.uk/code-of-fundraising-practice/code-changes/</a></p>
<b>The Freedom of Information Act 2000</b>	<p>Provides public access to information held by public authorities. Public authorities are obliged to publish certain information about their activities; and members of the public are entitled to request information from public authorities.</p>



	<a href="https://ico.org.uk/for-organisations/guide-to-freedom-of-information/what-is-the-foi-act/">https://ico.org.uk/for-organisations/guide-to-freedom-of-information/what-is-the-foi-act/</a>
Data protection in the European Union	Under EU law, personal data can only be gathered legally under strict conditions, for a legitimate purpose. These regulations reflect GDPR as well. <a href="http://ec.europa.eu/justice/data-protection/">http://ec.europa.eu/justice/data-protection/</a>
<b>General Data Protection Regulation Information (GDPR) and Related Links</b>	
APRA Update regarding the progress of the general data protection regulation in the United Kingdom - connecting people to causes (from the Apra Ethics and Compliance Committee (March 2018))	<p>Dear Apra Members,</p> <p>We would like to update you on developments around GDPR. We are pleased to say that the Institute of Fundraising (IoF) published some GDPR guidance for the prospect research and fundraising community last week called Connecting People to Causes: A Practical Guide to Fundraising Research in partnership with the legal firm Bates Wells Braithwaite and More Partnership Ltd, and with input from the RIF Committee and the RIF Data Protection Working Group. Click <a href="#">here</a> to read the document.</p> <p>The guidance examines the lawful basis for prospect research and major donor fundraising. It also provides a framework for organizations seeking to understand the law and outlines areas that they should consider in order to become compliant with GDPR.</p> <p>There are still a few areas under discussion such as the provision of privacy notices to new prospects and supporters (see Adrian Beney's related LinkedIn posts below), and the ICO is also expected to publish further guidance on conducting privacy impact assessments in late March 2018.</p> <p>Adrian Beney posts:</p> <ul style="list-style-type: none"> <li>• From March 13, 2018 - <a href="https://www.linkedin.com/pulse/when-provide-privacy-notice-someone-youve-met-yet-adrian-beney">https://www.linkedin.com/pulse/when-provide-privacy-notice-someone-youve-met-yet-adrian-beney</a></li> <li>• From April 7, 2017 - <a href="https://www.linkedin.com/pulse/consent-opt-in-legitimate-interest-gdpr-adrian-beney/">https://www.linkedin.com/pulse/consent-opt-in-legitimate-interest-gdpr-adrian-beney/</a></li> </ul>
Data protection in the EU	<ul style="list-style-type: none"> <li>• On 25 May 2018, the new General Data Protection Regulation (GDPR) will come into effect in the EU. This will replace the current Data Protection Act 1998 and will affect all organizations who process or store personal information of EU citizens. Failure to comply with this legislation could result</li> </ul>

	<p>in fines of up to €20 million or 4% of a business's turnover (whichever is greater)!</p> <ul style="list-style-type: none"> <li>• In the UK, 13 charities were fined following investigations for non-compliance with the 1998 Data Protection Act in relation to: Wealth Screening, Address Matching and Data Sharing (<a href="https://ico.org.uk/action-weve-taken/charity-fundraising-enforcement-action/">https://ico.org.uk/action-weve-taken/charity-fundraising-enforcement-action/</a>)</li> </ul>
<b>Institute of Fundraising (IOF): GDPR guidance</b>	<ul style="list-style-type: none"> <li>• Connecting People to Causes: A Practical Guide to Fundraising Research: <a href="https://www.institute-of-fundraising.org.uk/documents/iof-connecting-people-to-causes/">https://www.institute-of-fundraising.org.uk/documents/iof-connecting-people-to-causes/</a></li> <li>• IoF GDPR Spotlight Series: <a href="https://www.institute-of-fundraising.org.uk/guidance/research/get-ready-for-gdpr/spotlight-series/">https://www.institute-of-fundraising.org.uk/guidance/research/get-ready-for-gdpr/spotlight-series/</a></li> </ul>
<b>GDPR (EU)</b>	<p>European Union's General Data Protection Regulation <a href="http://www.eugdpr.org/">http://www.eugdpr.org/</a></p>
<b>GDPR Update as of January 2018</b>	<p>Additional detailed guidance on the progress of GDPR <a href="https://ico.org.uk/for-organisations/guide-to-the-general-data-protection-regulation-gdpr/whats-new/">https://ico.org.uk/for-organisations/guide-to-the-general-data-protection-regulation-gdpr/whats-new/</a></p> <p>Additional resources:</p> <ul style="list-style-type: none"> <li>• ICO website: <a href="https://ico.org.uk/for-organisations/guide-to-the-general-data-protection-regulation-gdpr">https://ico.org.uk/for-organisations/guide-to-the-general-data-protection-regulation-gdpr</a></li> <li>• IoF's GDPR page: <a href="https://www.institute-of-fundraising.org.uk/guidance/research/get-ready-for-gdpr/">https://www.institute-of-fundraising.org.uk/guidance/research/get-ready-for-gdpr/</a></li> <li>• Data Protection Network's Legitimate Interest guidance: <a href="https://www.dpnetwork.org.uk/dpn-legitimate-interests-guidance/">https://www.dpnetwork.org.uk/dpn-legitimate-interests-guidance/</a></li> <li>• Factory's GDPR resources page: <a href="https://factory.com/gdpr-resources/">https://factory.com/gdpr-resources/</a></li> <li>• Helen Brown GDPR blog from February 2018: <a href="https://www.helenbrowngroup.com/nonprofit-ready-gdpr/">https://www.helenbrowngroup.com/nonprofit-ready-gdpr/</a></li> <li>• Helen Brown Group GDPR and you from March 22, 2018: <a href="https://www.helenbrowngroup.com/gdpr-and-you/">https://www.helenbrowngroup.com/gdpr-and-you/</a></li> </ul>
<b>GDPR (a primer for US based</b>	<p>Article of Interest: This addresses some concerns for organizations based in the US - <a href="https://wp.nyu.edu/compliance_enforcement/2017/12/11/the-">https://wp.nyu.edu/compliance_enforcement/2017/12/11/the-</a></p>

organizational organizations)	<a href="#">general-data-protection-regulation-a-primer-for-u-s-based-organizations-that-handle-eu-personal-data/</a>
<b>European Union Regulations – Historical</b>	
Data Protection Directive  General Data Protection	<ul style="list-style-type: none"> <li>• The Data Protection Directive is a <a href="#">European Union directive</a> adopted in 1995 which regulates the processing of personal data within the <a href="#">European Union</a>. It is an important component of EU <a href="#">privacy</a> and <a href="#">human rights law</a>. On 25 January 2012, the European Commission unveiled a draft European <a href="#">General Data Protection Regulation</a> that will supersede the Data Protection Directive</li> <li>• The General Data Protection Regulation (GDPR) is a <a href="#">Regulation</a> in the making by which the <a href="#">European Commission</a> intends to strengthen and unify data protection for individuals within the <a href="#">European Union</a> (EU). It also addresses export of personal data outside the EU. The final version of the EU General Data Protection Regulation (GDPR) is anticipated to be released in early 2016.</li> <li>• Data Protection Directive - <a href="http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=URISERV%3A114012">http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=URISERV%3A114012</a></li> <li>• General Data Protection - <a href="http://www.itgovernance.co.uk/data-protection-dpa-and-eu-data-protection-regulation.aspx">http://www.itgovernance.co.uk/data-protection-dpa-and-eu-data-protection-regulation.aspx</a></li> </ul>
The Guide to Data Protection	A guide for those who have day-to-day responsibility for data protection <a href="https://ico.org.uk/for-organisations/guide-to-data-protection/">https://ico.org.uk/for-organisations/guide-to-data-protection/</a>
Examples of Privacy Statements	University of Manchester: <a href="http://www.manchester.ac.uk/privacy/">http://www.manchester.ac.uk/privacy/</a> Practical Action: <a href="https://practicalaction.org/privacy">https://practicalaction.org/privacy</a>  The ICO also have good and bad examples of privacy policy statements; <a href="https://ico.org.uk/media/for-organisations/documents/1625136/good-and-bad-examples-of-privacy-notice.pdf">https://ico.org.uk/media/for-organisations/documents/1625136/good-and-bad-examples-of-privacy-notice.pdf</a>

### Additional Links/Articles of Interest:

Is it ethical to snoop on donors on social media?	<a href="https://www.linkedin.com/groups/108388/108388-6105408265837961220">https://www.linkedin.com/groups/108388/108388-6105408265837961220</a> .
The Prospect Finder	<a href="http://www.theprospectfinder.com/resources">http://www.theprospectfinder.com/resources</a>

<p><b>University of Virginia “watch list” for accepting children of donors and alumni</b></p>	<p><a href="http://www.theprospectfinder.com/resources/podcasts">http://www.theprospectfinder.com/resources/podcasts</a>  <a href="http://www.dailyprogress.com/news/local/uva/uva-watch-list-said-to-fit-the-pattern-of-other/article_7c843486-18a7-11e7-b0bb-4388428b8161.html">http://www.dailyprogress.com/news/local/uva/uva-watch-list-said-to-fit-the-pattern-of-other/article_7c843486-18a7-11e7-b0bb-4388428b8161.html</a>            Caution: a wealth” watch list” can be traced back to the ethical activities of prospect research. Review your organization’s policies on information distribution and sharing and data governance at the institutional level. A prospect has the right to see all their files at any point.</p>
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### Professional Prospect Research, Ethics Advisors

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 Gareth specializes in general and advanced ethics. Prospect management, PM policy, prospect research, and data management (primarily higher ed). He has been a member of the Apra Ethics Committee since 2016 and has served as Chair since 2017.

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Laura is a prospect researcher for an international development charity and is the policy officer for the Researchers in Fundraising Committee in the UK, and chairs the RiF Data Protection Working Group.

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