



Fundraising with People in Vulnerable Circumstances Policy – accompanying guidance.

How do we identify an individual who needs additional care and support, or may be in a vulnerable circumstance?

A person in vulnerable circumstances is an individual who lacks the capacity or who finds it difficult to immediately make an informed decision about the choices offered to them. Examples include:

- a person who has suffered a recent period of stress or anxiety e.g. a recent bereavement or having suffered redundancy
- a person with learning difficulties
- a person with a diagnosed condition such as dementia
- a person who with communication difficulties and/or differences (e.g. autism, hear and/or speech impairment, English not spoken as a first language)
- a person who has as undiagnosed or temporary mental health condition such as severe anxiety.
- An elderly person or a person under the age of 18.
- Financial vulnerability - a person whose donation is likely to affect their ability to sufficiently care for themselves or leave them in financial hardship
- A person who is under the influence of alcohol or drugs

An individual who may need additional care and support, or who may be in a vulnerable circumstance, can still have capacity to choose to donate to or fundraise for the MS Society. However, if they are exhibiting any form of physical or mental difficulty or distress, this could impact on their ability to make an informed decision.

It is important to note that the presence of these indicators alone should not preclude a supporter from making a donation or choosing to fundraise for the MS Society.



These indicators also do not necessarily mean that a supporter is in a vulnerable situation. However, it is important that all fundraisers are alert to potential indicators of vulnerability.

It is unlikely that a supporter will self-identify as a vulnerable person at the point of first contact. We therefore need to ascertain if someone is vulnerable, before taking further action. It is important to avoid making generalisations - for example, age is not necessarily an indicator of vulnerability.

We believe that everyone should have the opportunity to donate or fundraise for us, if they are able to do so. We also need to bear in mind that taking any action based upon a protected personal characteristic could lead to discriminatory practice.

The important distinction is whether the individual has a lack of capacity to make a decision or needs more information and support to be able to make a decision to donate or take part in a fundraising event.

Fundraisers need to be aware of this difference so that they can make a reasoned judgment and act appropriately when dealing with existing or potential donors or fundraisers.

Responding to a person in vulnerable circumstances

Be patient and do not rush conversations with potential supporters.

Ask the supporter if they would prefer any alternative methods of communicating e.g. offer to send the information via post or email to allow more time for them to read about the MS Society and make an informed decision.

Check with the supporter if they need to speak with anyone else before making a decision.

Check their understanding of what has been agreed.

The following behavioural signs could mean that an individual may be in a vulnerable circumstance:

- Asking irrelevant and unrelated questions or displaying signs of forgetfulness.
- Unable to understand the information they are provided with and asking for it to be continually repeated.
- Responding in an irrational way to questions.
- Saying “yes” or “no” at times when it is clear they haven’t understood.
- Taking a long time or displaying difficulty in responding to questions or requests for information.
- Repeating simple questions such as “Who are you?”, “What charity are you?” and “What do you want?”
- Wandering off the subject at hand and making out of place statements.
- Stating that they are not well or not in the mood to continue.
- Displaying signs of ill-health like breathlessness or making signs of exasperation and discontent.
- Stating that someone else is responsible for their finances.
- Indicating in some way that they feel rushed, flustered, or stressed.
- Donating an unexpectedly large gift with no prior relationship. (This is not necessarily an indicator of vulnerability; many legacy and in memory gifts are given without the existence of a relationship between the donor or charity)

How can we ensure that we provide a duty of care to our more vulnerable supporters and respond to their needs?

- Talk clearly, avoiding words and phrases that may be hard to understand
- Avoid shouting or using patronising language
- Repeat information
- Reflect the terminology used by the supporter, which may help to increase their understanding

- Be patient
- Offer alternative formats of fundraising materials, such as easy-read or large-print
- Ask if the supporter would prefer to be communicated with a different way or at a different time
- Ask if the supporter would like someone else present to provide assistance
- Check the supporter's understanding at important points in the interaction and ask if anything requires further explanation

How do we make the decision to accept or decline support from an individual we have identified as being in vulnerable circumstances?

A decision to refuse, revoke or return support requires careful consideration. For more detailed guidance of this, refer to the [Acceptance and Refusal of Donations Policy](#).

The supporter's welfare and rights must be paramount throughout the decision-making process.

If a fundraiser has reasonable grounds for believing that the supporter lacks the capacity to make a decision, then a donation should not be taken. Staff should speak with their line manager and a safeguarding responder explaining the reasons for this decision. If need be, this will be escalated to the leadership team.

If we receive evidence that the person lacked capacity to make the decision to donate at the point in time they donated, then we should return the donation because the original donation was invalid. Any gift aid declaration or marketing preference consent given at the same time as the donation was made should also be deemed invalid, and any actions taken on these bases should be reversed, if reasonable to do so. It is imperative that an 'opt out' option is added to the person's details so they do not receive any further mail asking for donations.

If a gift is refused, or returned to the supporter, this information and decision should be clearly recorded within our CRM, along with the



reasoning behind the declining or return of a gift and the name of the accepting/ declining official and the capacity in which they acted.

How do we communicate the decision to decline support from an individual we have identified as vulnerable?

If a fundraiser believes that an individual may be in a vulnerable circumstance or unable to make an informed decision, they should respectfully end that interaction. Care should be taken in order not to cause offence or upset the individual. The fundraiser should suggest to the individual that they may wish for more time to consider their support of the MS Society. The fundraiser should not communicate to the supporter that they have assessed them as being in vulnerable circumstances, but should also avoid telling explicit untruths.

If appropriate and it does not cause distress, the fundraiser should provide our contact details and advise that the supporter is welcome to contact us. Our Helpline can be an alternative signpost for support.

In some cases, it may be necessary to take the supporter's details in order that the case can be reassessed before further action is decided upon.

Could there be a safeguarding concern?

If the person is exhibiting any form of physical or mental difficulty or distress, there could be an underlying cause which puts the individual at risk of harm through abuse or neglect. If you suspect the persons vulnerabilities have been caused by another person or another person is exploiting the persons vulnerabilities, follow our safeguarding procedures. Report to the Safeguarding Responders Group using the [Report of safeguarding concern form](#).



How do we prevent future approaches to an identified vulnerable individual?

We do not record on our database that a donor is living in vulnerable circumstances. We must avoid recording information about the individual's physical or mental health conditions or any other sensitive personal data without the awareness and permission of that person. The fundraiser should not under any circumstance record any judgement or assessment about what they perceive an individual's physical or mental condition to be. If the individual in question ever submitted a subject access request, any personal information held about this person would need to be disclosed.

The supporter's wishes should be taken into consideration. If a supporter explicitly states that they do not want to be contacted again, then the standard data protection contact exclusions should be added to the record.

Subject Access Requests: are we required to disclose the vulnerability flag to the subject?

Please note: the following section is only intended as information for fundraisers. Subject Access Requests and other Data Subject Rights are covered by our [Data Protection Policy](#). Anyone may ask for any or all information that we hold on them, by submitting a Subject Access Request (SAR). Staff should contact the Data Protection Team immediately following a request for information in order to fulfill our obligation to provide information within 30 days.

If a supporter with a vulnerability flag submits a Subject Access Request to the MS Society, we must treat this request in the same way that it would treat a Subject Access Request from any other supporter. However, the following consideration will be additionally necessary: will disclosure of this information cause serious harm to the supporter in question? In order to decide whether disclosure would cause serious



enough harm to warrant a limit on disclosure, the following must be demonstrated:

- We must be able to identify a negative consequence of the disclosure, and this negative consequence must be significant (more than trivial).
- We must be able to show a link between the disclosure and the negative consequences, showing how one would cause the other.
- There must be a real possibility of the negative consequences happening, even if one can't say it is more likely than not.

The ultimate decision whether or not to disclose all requested information to a supporter flagged as vulnerable will need to be made balancing the potential for serious harm and the legal compulsion to comply with a Subject Access Request.

The decision whether or not to disclose all information to a vulnerable supporter will need to be made on a case by case basis by the Data Protection Officer.

Please see the appendix with additional resources for supporting people in vulnerable circumstances.



Appendix

[Acceptance and Refusal of Donations Policy](#)

[Data Protection Policy](#)

[Fundraising Regulator Code of Fundraising Practice 2025](#)

[Safeguarding Adults Policy](#)