**Parish name:………………………………..**

**Address:…………………………………**

**OUR GIFT IN A WILL POLICY**

1. The Parochial Church Council’s (PCC) policy is to use gifts in wills to fund development work inside our church buildings and wider parish. This could be building maintenance and improvements, purchasing new equipment, music or investing in people. It is a great help if gifts in wills are left for general purposes so that we can decide where the need is greatest at any time.
2. The PCC will not exert undue influence on a potential legator (the person/s who wishes to make the Will).
3. The PCC will ensure that all legacy fundraising activity is undertaken whilst considering:
   1. the potential legator’s freedom to provide for their family and others
   2. the sensitivities of the potential legator and their family and friends.
4. The PCC will not provide legal advice.
5. The PCC will not act as an executor to a potential legator’s Will.
6. All promotional material will make clear that the contents are not intended to constitute legal advice and that potential legators should seek their own professional advice.
7. The PCC will be open about the reason for an invitation to an event if it is about [legacies](https://www.fundraisingregulator.org.uk/code/specific-fundraising-methods/legacies) or if legacies will be discussed and may be asked for.
8. If the PCC provides potential legators with suggested wording regarding the name and charity details to be included in their Wills, they must ensure that the suggested wording is accurate (which may involve seeking legal advice) and that the PCC is correctly identified.
9. The PCC will consider the needs and situation of vulnerable individuals before embarking on face-to-face legacy fundraising activity.
10. The PCC will not be exploitative in their ‘use’ of beneficiaries or supporters as case studies or testimonials, and must respect their dignity and privacy.
11. Individual face-to-face meetings in a potential legator’s home to discuss legacies will:
    1. only occur if consent by the potential legator to the meeting has been freely given and on the clear understanding that the meeting will discuss a potential gift in a will
    2. not occur without that person having first had the opportunity to decline the meeting
    3. be undertaken sensitively and without undue pressure or influence
    4. accept the right of the potential legator to terminate the face-to-face meeting at any time
    5. be recorded by notes of communications with the potential legator which will be kept on file.
12. The PCC will not be directly involved in drafting or signing or witnessing wills in favour of the PCC.
13. Individuals will not take advantage of their involvement with the PCC to solicit a personal gift in a will.
14. The PCC will respect the wishes of the legator if they want no further marketing communications (which would include any fundraising requests).
15. If a legator or potential legator asks the PCC to explain to disinherited family members why they are being disinherited, the PCC will decline.
16. If a gift in a will is left with a request/wish, rather than subject to conditions, the PCC will give consideration to the legator’s wishes.
17. If a gift in a will is left on condition of, or subject to, a binding obligation that it must be used for a particular purpose or project or such like, the PCC will first contact the executor and then the Charity Commission for England and Wales if:
    1. the purpose has been fulfilled or otherwise provided for
    2. the money or gift can no longer be used for that purpose
    3. the intended purpose has stopped being a suitable and effective use of the money or does not provide a use for all the money
18. If the gift in the will conditions can be fulfilled and the gift is accepted, the PCC will follow those conditions.
19. The PCC will respect the legator’s or their estate’s wishes about any public recognition of the gift.
20. Where case studies are sought, permission will be obtained from the next of kin, where possible.

Date: ………………………………………………….

Contact Details: …………………………………..

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