

## **Policy on Confidentiality**

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Cumberland Community Foundation, Inc. (“Foundation”) maintains and manages information that must be kept confidential. This includes information about donors, prospective donors, grantees, prospective grantees, and wealth advisors and their firms. The effective functioning of the Foundation also requires respecting the confidentiality of discussions that take place and information that is shared in the course of conducting Foundation business.

The Foundation’s Board has adopted this Policy on Confidentiality to assist the Foundation’s directors, officers, employees, agents, fiduciaries and volunteers in fulfilling their confidentiality obligations and commitments. While the policy addresses some common confidentiality concerns, it is not an exhaustive list of all situations where a confidentiality obligation may arise. Questions about whether information is confidential or about situations in which confidential information may be released or discussed should be directed to the Executive Director, or Chief Development Officer (if position filled). As used in this Policy, the term “Foundation personnel” includes the Foundation’s directors and officers, employees, agents, fiduciaries, consultants and volunteers.

**General Rule:** Information in the possession of the Foundation and discussions of Foundation business should generally be presumed to be confidential. All Foundation personnel at every level are responsible for maintaining confidentiality.

**Confidentiality of Donor Information:** Except as required by law, the Foundation will not disclose information about a donor or a donor’s gift. However, unless otherwise requested by the donor, the Foundation may publish the names of individual donors in the Foundation’s Annual Report and other reported listings that are part of the communications strategy. In the case of memorial gifts, the Foundation will provide the names and addresses of donors to members of the immediate family unless the donor has requested anonymity. The Foundation may accept anonymous gifts on a case by case basis.

The Foundation will not disclose the amount of any gift without the donor’s consent except in the case of donations to designated, agency, or special project funds where the charitable designee is in an active campaign or has directly solicited the gift. The gift amount may be shared unless the donor chooses to remain anonymous. See Information Sharing Matrix attached hereto for additional guidance.

Foundation personnel who are actively fundraising for other charitable organizations should not receive donor lists.

**Confidentiality with respect to Grant Applicants and Grantees:** The Foundation will not disclose the identity of grant applicants except as necessary to process the application and will protect financial and personal information that applicants submit to it. This includes information provided by applicants for grants to individuals such as scholarships and other assistance. Except in the case where privacy of the individual assisted is needed, the Foundation will generally disclose the identity of grantees and the amount.

**Confidentiality of Foundation Business:** Except as authorized by the Foundation's Board, or by an appropriate board committee, discussions and records of the Foundation's operations are generally not to be disclosed. This includes information about the Foundation's financial operations, fundraising, investments, personnel, grantmaking, and contractual relationships. The positions of individual directors, officers, employees, agents, fiduciaries, and volunteers should not be discussed, even within the Foundation, except in the course of official Foundation meetings and processes where those subjects are discussed.

Due to the many volunteers who also volunteer for other charitable organizations that are actively fundraising, the Foundation does not circulate donor lists except at the discretion of the Executive Director for private discussions of gift development.

**Exceptions:** This policy does not apply to disclosures to attorneys, accountants and other professionals providing assistance to the foundation. It also does not apply to disclosures to tax authorities, government agencies, courts, or as otherwise required by law.

The following are considered public documents and information contained in them is not subject to the confidentiality requirements of this policy:

- The Foundation's annual report or financial review once it has been accepted by the board.
- The Foundation's Form 990 as required to be publicly disclosed. This does not include the names and addresses of donors as that information is not required to be disclosed.
- The Foundation's investment and spending policies.
- The Foundation's grants that would normally be disclosed on the Form 990.

**Protection of Confidential Information:** Foundation personnel who have executed a copy of this policy may access confidential information necessary to the performance of their functions. Foundation personnel are expected to exercise sound judgment in securing information taken outside the Foundation's offices or copied from its network. Any information so removed should be returned as soon as possible and deleted from laptops or other personal devices.

**Penalties:** Penalties for violating this policy can include sanction or termination of employees and removal of board members or other volunteers and termination of contracts with consultants or contractors.

***Policy unanimously approved by the Board of Directors on September 15, 2016.***