

## **GATE THEATRE ETHICAL POLICY**

Reviewed and Board approved: September 2022

To be reviewed next: September 2023

The Gate Theatre aims to be a responsible and ethical organisation. We encourage practices and relationships with partner organisations and funders that operate for the positive benefit of people and the environment.

This Policy seeks to support and embolden difficult decision-making at the Gate.

Not every eventuality can be covered by a policy, but this one covers **Ethical Principles** and **Ethical Fundraising**, with an accompanying **Decision-Making Checklist**.

The Gate's Ethical Policy is a clear statement of intent from the Board and Executive Team, outlining our approach to running the Gate as a fair and ethically sound organisation. Our work is defined by an ambition to change the world and we can only do this by championing the principles that we believe in – from ethical funding partnerships to championing diversity.

It also sets out a well-thought-out, clear, and planned approach to matters of reputational and financial risk, in order to safeguard the reputation of the organisation. In agreeing and upholding the principles outlined in this policy, we demonstrate our shared vision for good practice and governance.

Through this policy, we uphold the mission and values of the Gate and we build and maintain the trust and good faith of our audiences, supporters, stakeholders and staff.

The Gate's Ethical Policy should be read alongside the *What Next?* resource: Meeting Ethical and Reputational Challenges: <http://www.whatnextculture.co.uk/wp-content/uploads/2015/07/Meeting-Ethical-and-Reputational-Challenges-Guidance.pdf>  
The Decision-Making Checklist below, in particular, is indebted to this resource.<sup>1</sup>

### **ETHICAL PRINCIPLES**

It is not possible to predict every situation in which the Gate's representatives may find themselves, but below are some Principles to steer decision-making.

These Principles, and the responsibilities of Gate staff to abide by them, are listed in the Company Handbook, which is held as an appendix to employment contracts.

#### **1. The Gate's Mission**

When considering a potentially contentious artistic choice, partnership, or funding opportunity, the Gate's mission should be its touchstone.

*The Gate Theatre was founded in 1979 to present ground-breaking international plays to a London audience.*

*Today, the Gate exists to make international theatre that asks essential questions about ourselves, each other and the world. Our work investigates what it means to be alive now.*

*We imagine our work as a live conversation with our audience. Everyone is welcome in our intimate 120-seat theatre. Our space transforms with every production - no two visits are ever the same.*

*We nurture the best and most diverse new talent to push the boundaries of what theatre is and what else it could be. We create space for radical, inventive thinking to surprise, delight, challenge and inspire.*

If the difficult decision might undermine or contradict the mission, and so expose the Gate to reputational damage, then the decision should be escalated to Trustee level, and the below Checklist activated.

## **2. Public Trust**

In addition to our mission, we also have a duty to the public to be transparent and accountable, and always to act in the public interest. The government endorsed 'Seven Principles of Public Life' form a useful reminder for holders of public office:

- Selflessness
- Integrity
- Objectivity
- Accountability
- Openness
- Honesty
- Leadership

## **3. Personal Gain**

No individual should use their position at the Gate for personal gain, or to benefit another at the expense of the Gate, its mission, its reputation, or the public that it serves. Nor should any individual act in a way that could be reasonably seen by others as compromising the independence and integrity of the Gate.

## **4. Conduct**

In all forms of activity and communication (written, oral, and social media), all Gate representatives must:

- a) Conduct themselves in accordance with all applicable national and international laws at all times
- b) Act to uphold the values and reputation of the Gate
- c) Act with honesty and integrity, and never knowingly mislead any person
- d) Protect confidential information obtained during their work
- e) Apply the ethical standards governing their particular profession

## **5. Conflict of Interest**

Where conflicts of interest arise – actual, potential, or perceived – the duty of loyalty to the Gate must not be compromised. All Gate representatives must be impartial, for example, to:

- a) Declare and make known any personal interests
- b) Not give or receive any inducements that could, or could be seen to be in conflict with the interests of the Gate
- c) Not provide any services that could or could be seen to be in conflict with the interests of the Gate
- d) Not compete with the Gate in any personal activity, unless previously approved at the senior management level
- e) Not accept any hospitality or other form of gift or reward which could be seen as an inducement

## **6. People and the Environment**

The fair and equal treatment of our staff, artists and audiences, as well as our positive stewardship of the environment, are key values upheld within the Gate's Business Plan, and towards which all Gate representatives have a responsibility. For more detail, please read the Gates:

- Equal Opportunities Statement, Equality Action Plan and Anti-Racism Plan
- Dignity at Work Policy
- Health and Safety Policies and Procedures
- Staff Training Policy
- Green Gate Policy and Action Plan

## **7. Best Practice Business Planning**

The Gate constantly reviews and improves its policies, practices, aims and objectives. We recognise our responsibility to be an effective and efficient beneficiary of public and private funds and public trust. We involve our staff and Board directly in planning and making public the Gate's mission, policies, and accounts. See our Business Plan 2022-2024 for more detail.

## **ETHICAL FUNDRAISING**

The Gate accepts financial support from a wide variety of public and private funders who are willing to support us to accomplish our mission, and we are deeply grateful for their faith in our work.

The Gate must ensure that we take our role as a public institution seriously and that we balance the financial needs of the organisation with our wider, ethical responsibilities.

### **Commitment to our Donors and Sponsors**

- The Gate is committed to developing a positive relationship with donors,
- All donors are entitled to know how we spend the money they give so we will provide regular updates on how we are investing their donations in our artists' work.
- We will not provide donors' personal details to third parties who intend to make contact with the donor, without express permission.
- We will never harass potential or existing donors to financially support our work.
- We will give appropriate acknowledgement and recognition of donations.
- Fundraising income and expenditure will be monitored and reported in the published audited accounts and available on the Charity Commission website.

### **Responsibilities and Control**

Senior management controls the activity of fundraising at the Gate, which is carried out by the Development Manager. The senior management act on delegated authority from the Board, who retain overall responsibility for all decisions regarding the acceptance and refusal of donations.

Guidance issued by the Institute of Fundraising, and specifically cited by the Charity Commission, state that Trustees must not allow individual or collective views on political or ethical issues that are not directly related to the interests of the charity to affect their judgment.

Consistent with the above Ethical Principles, the Gate will not accept funds in circumstances when:

- a) The donation is over £250 and is made anonymously through an intermediary who is not prepared to identify the donor to anyone at the Gate (giving anonymous donations prohibits proper risk assessment/research. Of course, gifts can thereafter be credited anonymously to the public).
- b) The donor has acted, or is believed to have acted, illegally in the acquisition of funds, for example when funds are tainted through being the proceeds of criminal conduct.

- c) When acceptance of the funds would, in the joint judgment of the Board and senior management, significantly damage the effective operation of the Gate in delivering its mission, whether because such acceptance would:
- i. Harm the Gate's relationship with other donors, partners, audiences or stakeholders
  - ii. Create unacceptable conflicts of interest
  - iii. Materially damage the reputation of the Gate
  - iv. Detrimentally affect the ability of the Gate to fulfil its mission in any other way than is mentioned above

### **Research**

At the Gate, we work towards energetic fundraising with a tendency towards acceptance rather than rejection. So, when concerns arise, an appropriate level of research should be the first step taken to avoid wasted resources or unclear solicitations of gifts.

#### **Individual Giving - £5,000 or more**

The Development Manager will conduct public record research when soliciting gifts that have the potential to be £5,000 or more and report their findings to the Executive team. If circumstances a-c above are subsequently suspected of a prospective donor, senior management will seek a Board decision before any approaches are made, or gifts are accepted/rejected.

#### **Individual Giving – £5,000 or less**

Although gifts worth less than £5,000 may not be subject to detailed scrutiny by senior management, acceptance will nevertheless be considered by the Development Manager against this Ethical Policy and may be referred for further scrutiny if there is perceived to be a conflict with any of the principles set out above. This includes gifts that are offered directly as well as those solicited.

#### **Corporate Support**

All corporate donors, sponsors or partners will be subject to the initial screening of publicly available information, with particular reference to any company activity that might be the source of reputational or ethical risk, such as pending major court cases, links to organised crime or terrorism, and prominent allegations. There should be a distinction between a mere allegation, rumour or speculation on the one hand and confirmed fact or legal finding on the other, treating the former with caution although not disregarding the same if it is considered that public perception alone carries a reputational risk for the Gate, irrespective of the underlying truth. Again, if research backs the suspicion that the corporation may be involved in circumstances a-c above, senior management will seek a Board decision before any approaches are made, or gifts accepted/rejected.

#### **Charitable Foundations**

Donations and grants of any size from charitable foundations registered with the regulatory authorities in the UK, North America and European Foundation Centre (EFC) affiliated organisations will not normally be subject to an ethical review unless specific concerns are in the public domain.

#### **Restricted Gifts**

Gate staff may accept restricted gifts for particular projects provided those purposes are within Gate's objectives and capable of being carried out.

If the gifts are too difficult or costly to administer, or for purposes outside the Gate's, or would have a negative impact on the Gate's reputation, then individuals can make the decision to accept/refuse the gift.

## DECISION-MAKING CHECKLIST

This list is designed to help senior management and Trustees address dilemmas and arrive at well-thought-through, clearly articulated decisions that are brave, rigorous and defensible.

1. Does the proposed course of action support our vision, mission and values?
2. Is it consistent with our Ethical Policy?
3. Have we weighed the risks against the benefits?
4. Has the course of action been discussed to an appropriate extent across the organisation?
5. Have we done enough research and taken sufficient advice from outside the organisation?
6. Has our governing body been sufficiently involved in the decision-making process, so that it is fully informed and in a position to endorse a decision?
7. If we decide to proceed, do we have a clear articulation of why we are pursuing the course of action and have we logged the decision-making process?

Each question is expanded upon by the *What Next?* guidance:

<http://www.whatnextculture.co.uk/wp-content/uploads/2015/07/Meeting-Ethical-and-Reputational-Challenges-Guidance.pdf>

### **Decision to Proceed**

If the Gate decides to proceed with a potentially controversial course of action, there are two further checklists and guidance notes from *What Next?* which would be worked through:

- Preparing for controversy
- Managing the escalation of controversy

They are listed in full detail: <http://www.whatnextculture.co.uk/wp-content/uploads/2015/07/Meeting-Ethical-and-Reputational-Challenges-Guidance.pdf>

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<sup>i</sup> Other policies which helped shape this document were: the Code of Ethical Practice for Greenbelt Festivals; the Tate Ethics and Donations Policies; the National Gallery Ethical Fundraising Risk Management Strategy; Artsadmin Ethical Fundraising Policy; the Tyne and Wear Archives and Museums Ethics Policy; the British Council's Code of Conduct; the Museum Association's Code of Ethics