

EDITORIAL POLICIES ADVICE NOTE PHILANTHROPIC FUNDING BODIES

Background

A recent development in the area of external funding of co-productions is the use of bodies such as Creative Partnerships Australia (CPA, formerly AbaF) or the Documentary Australia Foundation (DAF) and crowd funding websites such as Kickstarter and Pozible.

This development poses a challenge to section 13 of the Editorial Policies, *External funding and relationships*, which imposes stringent requirements around external funding arrangements in order to protect the ABC's independence and integrity. In particular, all external funds require careful scrutiny (13.1) and sources of funds must be disclosed to the ABC (13.3).

This advice note sets out the current approach to managing scrutiny and disclosure of philanthropic donations made via CPA, DAF and other similar bodies. A separate advice note, [Crowd Sourced Funding](#), sets out the approach to crowd funding campaigns via Kickstarter, Pozible and other similar websites.

As all external funding arrangements must be considered and assessed on a case-by-case basis, co-producers are encouraged to seek advice from their ABC Editorial Managers. It is also important to note that this is an evolving area of policy and the current approach will be revised periodically to reflect new developments.

Considerations

Source of funds

When funds are raised through a philanthropic funding body, the ultimate sources of those funds are the donors to the philanthropic body: one or more individuals who have chosen to donate to the project. The more immediate source of funds is the body itself, being the funnel through which the donations pass. For the purposes of standard 13.3, the ABC regards the 'source of funds' in these circumstances as **philanthropic funds via a particular body**; i.e. 'Philanthropic funds (via CPA)' or 'Philanthropic funds (via DAF)'.

Scrutiny

External funding sources secured by co-producers are scrutinised to determine (among other factors) what, if any, interest the source has in the subject matter or broadcast of the content, and how that interest could be perceived by the audience. This is to done to protect the ABC's independence and integrity and to prevent perceptions of inappropriate

editorial influence. Should, at any time, the producer become aware of any inappropriate donor influence or conflict of interest, they should disclose this to the ABC for consideration and management.

With bodies such as CPA and DAF, it may not be possible (for example, due to a donor's desire to remain anonymous) or practical (for example, in circumstances where there are a large number of donors) to apply scrutiny to the individual donors who have contributed. Instead, it may be appropriate to apply scrutiny to the funding body itself: its operational framework, its bona fides, its deductible gift recipient (DGR) status, the scrutiny *it* applies to donors, etc.

The two main bodies producers have utilised to date are CPA and DAF. Television has scrutinised these bodies and, on the basis of this scrutiny, has developed specific guidelines for philanthropic funds channelled through them (see below).

Risks and controls

It is important to acknowledge the risks associated with this approach. The ABC will not always know the identities of individual donors and will not always be able to fully consider the nature of any interests they may have in the content. This could lead to the acceptance of funds that undermine the independence and integrity of content, resulting in damage to the ABC's reputation.

To mitigate these risks, two additional controls are necessary: **assessing the level of contentiousness** of the project (the more contentious, the more likely that details of donors and their interests will be required) and **limiting the percentage of budget contribution** (the higher the contribution, the higher the perception might be of inappropriate editorial influence). In cases involving contentious content or significant donations, identification of individual donors may be required before the philanthropic funds are accepted.

Credits

Philanthropic funding bodies receive an on-screen **text** credit which names the body and also conveys the fact that it channelled funds from philanthropists, such as:

- "Film financed with philanthropic funds via Creative Partnerships Australia."
- "Film financed with philanthropic funds via the Documentary Australia Foundation."

Generally, individual donors are not credited by name. This ensures credits are not unacceptably long or unduly prominent. It also prevents situations in which producers offer donors credits in exchange for donations (in accordance with the [Credits](#) guidance note, "Credits or acknowledgements must not be given in return for any payment, reduced fee, benefit or any other advantage").

The exception to this is if an individual donor must be named in order to adhere to standard 13.7, i.e. if not disclosing the identity of the particular donor would be problematic for independence or integrity reasons.

Philanthropic funding bodies are not eligible for logo credits.

Philanthropic Funding Bodies

To date, co-producers have mainly engaged with CPA and DAF. The approach taken with each organisation is outlined below. Producers should seek advice from their Editorial Manager about engaging with other philanthropic bodies.

Option 1: Creative Partnerships Australia

[Creative Partnerships Australia](#) (CPA) was established by the Federal Government as the amalgamation of the Australia Business Arts Foundation (AbaF) and Artsupport Australia. It receives government funding (both state and federal) and some private funding (e.g. from the Macquarie Group Foundation). It has DGR status.

One of its key functions is to administer the Australia Cultural Fund. Donors make tax-deductible gifts to CPA and express preferences for their donations to go to particular arts organisations or artists. The CPA board takes these preferences into consideration when making grants. CPA scrutinises donors to ensure they are not related to the artists and will not receive any tangible benefits as a result of their donations (these requirements are made clear on the CPA website).

Recommended approach:

1. In most circumstances, funds channelled to a co-production via CPA are acceptable to the ABC without disclosure of the identities of individual donors, as some level of scrutiny has already been undertaken.
2. In these circumstances, 'Philanthropic funds (via CPA)' will be considered the 'source of funds' and will be credited accordingly.
3. Information about individual donors may be required if the program deals with a contentious subject; where the CPA contribution forms more than 20% of the budget; or there are other significant editorial policy concerns.
4. Decisions about the level of scrutiny required will be made on a case-by-case basis after assessment by the Editorial Policy Advisor.

Option 2: Documentary Australia Foundation

The [Documentary Australia Foundation](#) (DAF) is a private philanthropic initiative that runs on philanthropic support. Its aim is “to inspire and nurture partnerships between philanthropic individuals, private foundations, charities and documentary filmmakers”. It has DGR status.

DAF lists approved documentary projects on its website. Filmmakers are encouraged to approach potential donors and direct them to donate to their projects via DAF. The DAF website states that donations from “related party interests” will not be accepted. In addition, DAF has advised that if it is aware of a donor having an inappropriate financial interest, it will not accept the donation. However, as DAF is quite a small operation its scrutiny processes are limited; it is unlikely to become aware of the interests of its donors.

Recommended approach:

1. Due to its limited scrutiny processes, in most circumstances funds channelled to a co-production via DAF require disclosure to the ABC of the identities of individual donors.
2. In some circumstances, where content is non-contentious and the contribution is small, this disclosure and scrutiny may not be required.
3. ‘Philanthropic funds (via DAF)’ will be considered the ‘source of funds’ and will be credited accordingly.
4. Decisions about the level of scrutiny required will be made on a case-by-case basis after assessment by the Editorial Policy Advisor.