

Stewardship Forum

An evangelical alliance Partnership for Change

Stewardship Tools for Fundraisers : Giving Matters

Title: Five Legal Tips for Charity Websites

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Charities continue to use the Internet in more sophisticated and high profile ways. Unfortunately, the increase in the business like nature of the web brings with it increasing risks including the risk of litigation.

Minimise those risks by:

- 1. Making sure you own the site.** After all you paid for it. If your website was created by an independent designer, you may not own the copyright in the site unless the designer signed an agreement to say so. Even when an employee designed the site, he or she may be able to argue that the rights are not yours. Put the matter beyond doubt with a formal written agreement on which you have had legal advice.
- 2. Assessing the risks.** Your website is exposed to people across the world. This offers you the opportunity to communicate your message to a huge audience. It also means that you could find yourself defending legal proceedings in a country you have never visited. Complying with every relevant law could be prohibitively expensive but you should take steps to minimise the likelihood of proceedings. A website audit will identify the key risks and suitable Terms and Conditions of use will reduce them.
- 3. Adopting a privacy policy.** Recent press coverage has highlighted the concern that people feel about revealing personal information on the Internet. You should consider posting a privacy policy on your website.
- 4. Considering copyright.** Are you infringing someone's copyright? If in doubt, get the copyright holder's consent. Protect your own material by using appropriate copyright notices and consider whether critical material should be placed on-line at all.
- 5. Being aware of trademarks.** Register distinctive names, website addresses and other brands both in the UK and in other countries in which your charity operates, then protect your trademarks by using appropriate notices. Ensure that you do not use someone else's trademark without their consent.

Your web-site audit should include an assessment of whether you comply with the Electronic Commerce (EC Directive) Regulations 2002 that came into force this month.

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