



GIFT ACCEPTANCE POLICY

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Gift Acceptance Policy

Policy Summary

- The University actively seeks donations, sponsorships, and legacy gifts to support its mission. When considering the acceptance of any donation, the University ensures that such contributions do not compromise its independence, mission, or academic integrity.
- The University will not accept gifts funded through unlawful activities, those that violate human rights, or those that limit academic freedom.
- Gifts must not create conflicts of interest, harm the University's reputation, or constitute bribery or corruption.
- All gift proposals must be routed through the University Secretary to ensure due process.
- Due diligence is required for all gifts. Any gifts over £1 million require additional third-party due diligence.

1. Introduction

1.1 The University of Roehampton actively seeks donations, sponsorship and legacy gifts from individuals, trusts and foundations, commercial and charitable organisations, and government-related funding streams from all around the world to support activities consistent with the mission of the University.

1.2 In considering the acceptance of any donation, endowment or legacy, the University of Roehampton and its governing body (Council) need to ensure that fundraising, donations, corporate sponsored research and partnerships, and similar activities do not inappropriately influence institutional independence, mission, or academic integrity. It is also the responsibility of the University to certify that any gift complies with all relevant, current legislation.

1.3 The University Secretary is responsible for coordinating and reporting on all philanthropic fundraising across the University of Roehampton. It is important that the University Secretary or DVC (Commercial) is informed as soon as possible of all proposed approaches for private, philanthropic income..

1.4 The University is an educational charitable and chartered corporation, exempt from registration with the Charity Commission under the terms of the Charities Act 2011. Under the Charities Act, the Office for Students, as principal regulator, is charged with ensuring that universities fulfil their obligations under Charity law.

1.5 The University recognises the guidance for fundraising published by the Council for the Advancement and Support of Education (CASE) and the Fundraising Regulator.

2. Definitions

2.1. Definition of a philanthropic donation

Philanthropic funds can support buildings and land, staff appointments, equipment and other assets, scholarships and bursaries, endowment of lectures and other academic activities, core funding of academic activities, and in some limited circumstances funding of research programmes, including:

- a) Gifts from personal donors, in the UK and overseas, of cash and other instruments of wealth, including shares, appreciated securities, bonds etc.
- b) Donations from charitable trusts and foundations in the UK and overseas. This includes donations from independent charities associated with NHS Trusts (but not

- direct from NHS Trusts).
- c) Income from the National Lottery and similar sources (e.g. Heritage Lottery Fund, Sport England etc.).
- d) Gifts from companies in the UK and overseas.
- e) Grants made by affiliated support foundations such as North American 501(c)(3) organisations and similar organisations in other countries.
- f) Legacy income received in-year from deceased individuals.
- g) Gifts from overseas governments or their agencies and foundations.
- h) Funding through the Landfill Communities Scheme.
- i) Gifts-in-kind of physical items - property, art, equipment etc.

2.2 Definition of philanthropic intent

Giving to an institution with philanthropic intent is defined as all giving which does not confer full or partial ownership of a deliverable, financial benefit, or control to the funder in return for the funding. The gift must be owned in full by the receiving institution once it is received.

2.3 Gifts in Kind

Gifts in kind are classed by the Charities Statement of Recommended Practices (SORP) as donations of goods, facilities or services. The University is offered a broad range of gifts in kind. Examples include equipment, books, and fee waivers for professional services

The acceptance of Gifts in Kind must follow the Gift Acceptance procedure outlined in section 3.

2.4 Exclusions from philanthropic intent:

- a) *Contractual relationship*: A contract exists between the two parties which commits the recipient institution to provide an economic benefit for compensation, where the agreement is binding and creates a quid pro quo relationship between the recipient institution and the funder.
- b) *Exclusive information*: The funder is entitled to receive exclusive information, or other privileged access to data or results emerging from the programme of activity.
- c) *Exclusive publication*: The funder is entitled to exclusive rights to publication of research or other results through their own branded communication channels (website, report, etc.).
- d) *Consultancy included*: Consultancy for the funder or a linked organisation is included as part of the agreement.
- e) *IP rights*: The agreement assigns to the funder any full or partial rights to intellectual property that may result from the programme of activity. This exclusion extends to the provision of royalty-free licenses (whether exclusive or non-exclusive) to the funder, and also to granting the funder first option or similar exclusive rights to purchase the rights to any subsequent commercial opportunities. If the written agreement includes any actual or potential future benefit of this kind, it must be excluded.
- f) *Other forms of financial benefit*: Any other direct financial benefits are required by the funder as a condition of the funding (e.g. discounted courses, training, etc.).

Funder control: The funder retains control over operational decisions relating to the use of funds once the gift has been made. This includes control over appointment and selection procedures to academic posts and student scholarships. (NB: A donor's right to know that a gift will be used for a designated purpose, where applicable, is entirely consistent with a philanthropic gift.)

2.5 Research funding

The majority of research funding for institutions, whether in the form of contracts with business and industry or from grant-awarding bodies (even if they themselves are charities), should not be counted as a philanthropic gift.

In some cases grants for research programmes from trusts and foundations may be eligible, but these will need to be assessed on a case-by-case basis, given the differences in grant conditions between grant-making bodies.

3. Gift acceptance

3.1 The University will not accept any donation or pledge which is deemed, following thorough research, to have been funded through activities which:

- a) are unlawful (including any form of theft, fraud, tax evasion, money laundering or terrorist activity), whether in the UK or under the jurisdiction of the country from which the pledge is made
- b) violate international conventions that bear on human rights
- c) limit freedom of enquiry, or encroach on academic freedom.

In addition, University of Roehampton must be able to confirm that acceptance of a donation will not:

- a) create an unacceptable conflict of interest for the University (see Conflict of Interest Policy for further information, and examples of conflicts of interest)
- b) lead to a conflict of interest with the ethics and principles of University of Roehampton
- c) require an action or actions on behalf of the University or its staff which are deemed illegal
- d) harm the University's reputation and relationship with other benefactors, partners, potential students or research supporters
- e) constitute any form of bribery or corruption (See Anti-Corruption and Bribery Policy for further information).

3.2 As part of the due diligence involved in accepting a gift, the University of Roehampton will identify if there are any present or upcoming tenders that may be of interest to the donor. If there is a possible link, then a gift will not be accepted or discussed until the University has confirmed there is not a conflict of interest.

3.3 The University will accept gifts from parents of current students, but will make it clear within the gift agreement and related communication that the gift will in no way have any bearing or influence on how the University will treat their child as a student.

3.3 For gifts that will be referred to Council for approval (i.e. those over £1m), the University will engage a third party to carry out due diligence in addition to the due diligence carried out by University of Roehampton.

3.4 All gift acceptance decisions will be consistent with the University's charitable objectives and public benefit duty under the Charities Act (2011).

4. Responsibility Levels

4.1 The University Secretary is responsible for ensuring that reasonable research and due diligence have been undertaken on donation pledges which fall below a threshold of £25,000.

4.2 Where pledges are received which exceed this value, the decision-making will be escalated as follows:

- a) £25,000 to £999,999: Vice-Chancellor and Executive Director of Finance
- b) £1,000,000+: University Council and third party.

4.3 The University Secretary will report any donation pledge which falls under the criteria outlined in 'Gift Acceptance' to the Vice Chancellor and Executive Director of Finance for further action and escalation to higher authority (Chair of Council) if appropriate.

4.4 All decision-making will be documented in a formal refusal register, maintained by the University Secretary and their office.

4.5 Ongoing research and due diligence will be maintained on all high value donors to the University of Roehampton following the donation.

5. Recording and Reporting

5.1 The University Secretary will develop a donor gift agreement, where necessary, in conjunction with the donor and the internal individuals who have the relationship with the donor. The gift agreement will address all aspects of the gift, including parties responsible for the completion of a gift (e.g. payer of legal and/or banking fees), how the University will handle the transfer of liabilities, if applicable, and the University's donor recognition policy.

5.2 Once donated income has been identified, the Finance Department should be advised and provided with all support information and relevant paperwork.

5.3 Copies of supporting letters, proposals, communication with and from the donor are also requested.

5.4 Donors' right to remain anonymous will be respected completely but full details related to their gift will be recorded on the database.