

UNIVERSITY OF ROEHAMPTON

GIFT ACCEPTANCE POLICY

Originated by Alumni Development Department:	June 2015
Recommended by Audit Committee	9 November 2015
Approved by Council:	23 November 2015
Review Date:	June 2018

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GIFT ACCEPTANCE POLICY

1. Introduction

In considering the acceptance of any donation, endowment or legacy, the University of Roehampton and its governing body 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.

The Department of Alumni, Development and Careers is responsible for coordinating and reporting on all philanthropic fundraising across the University of Roehampton. It is important that the Department is informed as soon as possible of all proposed approaches for private, philanthropic income. Relevant contact information is included at the end of this document.

This document has been drawn up in the context of the HM Revenue and Customs Guidance and guidance provided by the Ross-CASE survey, which is the recognised sector initiative for measuring the performance and impact of philanthropy in the higher education sector.

The circumstances covered in this document are by no means exhaustive. If you have any questions regarding requests for private funding or incoming private income, please contact the Department of Alumni, Development and Careers.

This document will be reviewed by the Department of Alumni, Development and Careers and presented for review at the Development Board meeting annually. Case-by-case amendments will be made by the Alumni, Development and Careers Office as unforeseen circumstances arise.

2. 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:

- Gifts from personal donors, in the UK and overseas, of cash and other instruments of wealth, including shares, appreciated securities, bonds etc.
- 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).
- Income from the National Lottery and similar sources (e.g. Heritage Lottery Fund, Sport England etc.).
- Gifts from companies in the UK and overseas.
- Grants made by affiliated support foundations such as North American 501(c)(3) organisations and similar organisations in other countries.
- Legacy income received in-year from deceased individuals.
- Gifts from overseas governments or their agencies and foundations.
- Funding through the Land Fill Scheme.
- Gifts-in-kind of physical items - property, art, equipment etc.

3. 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.

4. Exclusions from philanthropic intent:

- *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. Contract income, including income for clinical trials, is ineligible.
- *Exclusive information:* The funder is entitled to receive exclusive information, or other privileged access to data or results emerging from the programme of activity.
- *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.).
- *Consultancy included:* Consultancy for the funder or a linked organisation is included as part of the agreement.
- *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.
- *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.)

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.

6. Role of the Department of Alumni, Development and Careers

The Department of Alumni, Development & Careers seeks to encourage the University community, including alumni, staff, the general public, businesses, trusts and foundations, to contribute philanthropic support through structured and tailored solicitation programmes.

It is a necessity to account accurately for and record all funds raised or pledged to measure fundraising activity and income generation throughout University of Roehampton for audit purposes and both internal and external regulatory bodies.

It is the responsibility of the Alumni, Development and Careers Office to:

- ensure all approaches to individual and organisation prospects are coordinated and professionally managed
- ensure donations are compatible with University of Roehampton's programmes, goals and objectives
- ensure that donors' gift restrictions are carried out
- aid the University in maximising donation income, e.g. Gift Aid.
- ensure donors are identified and stewarded correctly and all approaches are coordinated and professionally managed
- ensure all philanthropic income is correctly recorded on the database and reported in philanthropic returns for both internal and external bodies, including the Annual Report and the Ross-CASE Survey.

7. Gift acceptance

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

- 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
- violate international conventions that bear on human rights
- 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:

- lead to a conflict of interest with the ethics and principles of University of Roehampton
- require an action or actions on behalf of the University or its staff which are deemed illegal
- harm the University's reputation and relationship with other benefactors, partners, potential students or research supporters
- constitute any form of bribery.

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.

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.

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.

8. Responsibility Levels

The Head of Development is responsible for all reasonable research on donation pledges which fall below a threshold of £25,000. Where pledges are received which exceed this value, Alumni Development & Careers staff will escalate the decision-making as follows:

- £25,000 to £999,999: Vice-Chancellor and Pro Vice-Chancellor & Director of Finance
- £1,000,000+: University Council and third party.

The Head of Development will report any donation pledge which falls under the criteria outlined in 'Gift Acceptance' to the Vice Chancellor and Pro Vice-Chancellor & Director of Finance for further action and escalation to higher authority if appropriate.

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

9. Recording and Reporting

The Alumni, Development & Careers Office 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.

Once donated income has been identified, the Finance office should be advised and provided with all support information and relevant paperwork. This should be copied to the Alumni, Development and Careers Office to ensure the gift is properly recorded in the database and is available for any auditors. The minimum information required by these offices is as follows:

- name and address of donor
- name of staff member(s) involved
- amount and purpose of donation, including Project/department the gift is to support
- the account the gift was credited to.

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

10. Contact Information

It is necessary to notify the Department of Alumni, Development & Careers of all intentions to approach existing or potential donors prior to contact being made. Once a gift is made, it is necessary to notify both the Alumni, Development & Careers Office and the Finance Office.

Department of Alumni, Development & Careers

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