

# **Donor Relations and Acceptance of Donations**

## **Policy and Procedure**

### **1. Introduction**

Fundraising depends on the cultivation of donors to obtain charitable donations. Donors can have considerable influence on the University's public and government relations, as well as on the philanthropy of friends and colleagues. The University recognises that the donation process does not stop once a gift is made. The University's donor relations policy acknowledges the donor for individual contributions and encourages further donations on an ongoing basis through continued recognition and stewardship. By using donor relations to keep its donor base informed and enthused, the University can count on continued financial support and advocacy.

### **2. Ownership**

The Clerk's Office owns this policy on behalf of the University of Northampton. Changes to the policy are subject to the approval of the Board of Governors.

### **3. Organisational Scope**

This is a corporate policy and applies to:

- Donors and potential donors to the University of Northampton
- University employees engaged in seeking donations and in considering their acceptance

### **4. Objectives**

- 4.1. To establish policy and mechanisms for effective donor relations that will serve the interests of the University over time
- 4.2. To recognise generous donors and, therefore, encourage the generosity of others towards the University

- 4.3. To provide the basis to develop long term relationships with donors that will encourage their support of the University's future objectives and private funding programmes

## **5. Charitable Status**

The University of Northampton is an independent corporate body established by statute under the terms of the Education Reform Act 1988. The University is an exempt charity under the Charities Act 2011. The University's charitable purpose is the advancement of education.

As an exempt charity, the University has the same tax benefits as registered charities. These include the ability to recover tax deducted from donations under Gift Aid, exemption from Inheritance Tax for its donors, and exemption from Capital Gains Tax.

## **6. Definitions**

**Connected persons** - members of the extended family (including live-in partners with whom there is an enduring family relationship and their children or step-children), companies in which the person has a financial interest

**Donation** – a gift given by physical or legal persons to the University in its capacity as a fund or cause and in support of that fund or cause. It is given typically for charitable or philanthropic reasons (A gift is given to an individual and is covered in the University's policy and procedure for Acceptance of Gifts and Hospitality)

**Naming opportunity** – occasions where a specific name which is not a function description or designation may be placed on academic posts, student awards, buildings, facilities and equipment

## **7. Policy Statement**

- 7.1. The University welcomes and takes pride in the philanthropic support it receives, and uses this to further its mission and vision
- 7.2. The University of Northampton observes the requirements of charity law in relation to the receipt and expenditure of funds, as well as any other relevant legislation and guidance. Decisions on the acceptance of donations will be made with due regard to law, sector guidance, the University's policies and governing documents, and the need to preserve and enhance University's good name and reputation
- 7.3. The University retains the right to refuse a donation

- 7.4. The University will not accept donations that are inconsistent with its mission, vision and values, or incongruent with its aims, as set out in its Strategic Plan
- 7.5. The University will not accept donations which arise in part or in whole from any activity which is unlawful whether in the UK or under the jurisdiction from which the donation is made
- 7.6. The University will not accept donations if the terms of acceptance:
  - 7.6.1. require any unlawful action on the part of the University
  - 7.6.2. damage the University's reputation
  - 7.6.3. harm the University's relationships with its students, partners, benefactors, supporters or the local community
  - 7.6.4. cause financial damage to the University
  - 7.6.5. result in additional costs being incurred
- 7.7. The University will only accept donations from current or prospective students or their connected persons if it is clearly understood and made explicit that there will be no personal or academic gain for the student as a result of the donation
- 7.8. Donations from companies in the UK and overseas are acceptable sources of funding if the giving is because of philanthropic interest. Such gifts will not be accepted if they aim to:
  - 7.8.1. form a contractual relationship (with the exception of a naming opportunity, in which case a separate contract will be agreed for each case)
  - 7.8.2. gain exclusive information or publication
  - 7.8.3. gain financial benefit or control for the donor
- 7.9. The University will accept donations provided that it is understood by all parties that impartial, independent research, scholarship and teaching are the basis of the furthering of knowledge
- 7.10. The University will not accept donations from organisations or individuals that demonstrate the following characteristics; violation of human rights, exploitation of the work force, discrimination against the individual, manufacture and sale of tobacco products, manufacture and sale of armaments to any military regime, explicit environmental damage, illegal gambling or pornography
- 7.11. Those soliciting and accepting donations on behalf of the University must do so in line with the Due Diligence Policy and Procedure

## **8. Donors and Prospective Donors**

- 8.1. The University of Northampton treats its donors and prospective donors with care and respect
- 8.2. Donors will be informed of the University's priorities, values and strategic aims
- 8.3. A donor may designate a donation to any use that reflects their wishes, provided that this is in accordance with this policy and with the University's mission, vision and values, and in the best interests of the University
- 8.4. Where the purpose of a donation is specified by the donor, it will be used for that purpose
- 8.5. If the donation can no longer be used for its intended purpose, the University will discuss with the donor the options, and how their wishes for the use of the donation can be met
- 8.6. Donors will be informed of the impact of their donations and will have their donations acknowledged in a timely manner, with public acknowledgement if appropriate and unless anonymity has been requested
- 8.7. The donor's rights and personal information will be treated in compliance with the Data Protection Act of 1998 and the General Data Protection Regulations of 2018
- 8.8. Responses to questions from the donor about their donation will be given in a timely and truthful manner. Complaints from donors will be investigated by a member of the University Management Team in the first instance

## **9. Acceptance of Donations by Type**

### **9.1. Cash or equivalent**

Cash donations of over £200 will not be accepted. Cheques are accepted and should be made payable to the University of Northampton. The University also accepts payment by credit/debit card and Direct Debit.

### **9.2. Shares**

The University would consider accepting both publicly traded securities and closely held securities.

### **9.3. Tangible Personal Property**

This includes art, jewellery, books, memorabilia, collections, vehicles, furniture or any other property item(s) owned by the donor. This includes corporate property e.g. donations of property owned by an organisation rather than an individual. This does not include real estate. The University will examine the potential gift for its financial value, use by the University, ongoing risks or costs associated with it and whether the item can be sold and converted to cash.

#### 9.4. **Real Estate (Property and Land)**

Donations of real estate may include developed property or undeveloped land. Prior to accepting the gift, the University will require a survey of the real estate to assess the risks and costs to the University. The cost of such a survey will be met by the potential donor.

Prior to accepting the gift the University will seek such professional advice as it deems necessary. This will be at the expense of the University. Through this advice, the University will seek to establish the following:

- The ongoing costs associated with the real estate
- If the real estate is marketable
- If the real estate is useful for the purposes of the University
- Restrictions or other limitations associated with the real estate
- Whether the findings any survey show the real estate is in a reasonable state of repair and likely to remain so prior to disposal

A judgement about whether to accept the real estate will then be made.

The University may accept a remainder interest in a personal residence, farm or vacation property, subject to the provisions above. The donor or other occupants may continue to occupy the property for the duration of the stated life. On the death of the donor, the University may use the property or dispose of it in any way it sees fit which is also in accordance with the University's mission and with this Policy.

#### 9.5. **Legacies and Bequests**

The University accepts legacies and bequests.

#### 9.6. **Donations Offered to Specific Faculties**

Alumni and other potential donors will have strong relationships with individual academic faculties. The University will encourage engagement between donors and members of staff who are part of the relevant

faculty, or leading a particular project which has the support or interest of a donor

#### **9.7. Donations from Outside the UK**

Donations from governments or states outside the UK may be offered. Donations will not be accepted where there are no standard diplomatic relations between the country and the UK, unless there are exceptional circumstances. In such cases, the decision on the acceptance of the donation will be made by the Board of Governors.

#### **9.8. Anonymous Donations**

Unless the source of the funding can be clearly identified, the University does not accept anonymous donations.

#### **9.9. Donations in Memory or Honour of Another**

Donations may be made in memory or in honour of other individual/s or organisation. Naming opportunities are subject to the agreement of the University Management Team.

#### **9.10. Other Donations**

The acceptance of other donations, not included above, will be considered on a case by case basis.

### **10. Return of Donations**

- 10.1. Donations made to University of Northampton will not normally be returned to the donor
- 10.2. If a donation was made to the University with agreed restrictions but the circumstances have changed so that the original purpose of the donation can no longer be fulfilled in whole, or in part, the University will discuss with the donor alternative ways to use the funds. If no agreement can be made with the donor, the unexpended portion of the donation will be returned. If the donor is deceased then the donation will be used in a way that is as consistent with the donor's original intent as possible
- 10.3. Gifts made in error or overpayments will be refunded to the donor on request

### **11. Procedure**

- 11.1. The Due Diligence Process and Procedure applies and must be followed prior to any agreement to accept a donation
- 11.2. For any donation

- The name and contact details of the donor
  - The source of the funds must be sought
- 11.3. Where due diligence indicates that the acceptance of the donation would not be in accordance with this policy, it will be refused
  - 11.4. Donations will be processed within 72 hours of their receipt, and receipt will be acknowledged within four working days. In the case of an award, bursary or scholarship to a student, it is the responsibility of the associated University department to ensure that the recipient of the award also writes a letter of thanks to the donor
  - 11.5. Where a donor wishes to donate for a specific purpose, an appropriate member of the University Management Team will discuss this with donor in order to ensure congruence with the University's mission, vision and values, this policy, and the best interests of the University
  - 11.6. Where there is a dispute about the purpose to which the donor wishes to specify that the donation is put, the University Management Team will adjudicate. The decisions of the University Management Team in respect of this are final. There is no further right of appeal
  - 11.7. Decisions to refuse a donation will be taken by the University Management Team
  - 11.8. The decisions of the University Management Team in respect of this are final. There is no further right of appeal
  - 11.9. Decisions on naming opportunities will be made by the University Management Team. There is a separate policy on the Naming of Assets by Donation. The decisions of the University Management Team in respect of this are final. There is no further right of appeal
  - 11.10. At the time of the acceptance of the donation, the University Management Team is responsible for identifying an individual and/or department responsible for thanking and ongoing stewardship of the donor
  - 11.11. Where a donation is made by a corporate body or other organisation but made up of separate donations from individuals linked to that body or organisation, it will be identified as one donation and will be acknowledged as such. Where individuals would like acknowledgement and recognition for their part of the donation, then separate payments should be made.

## **12. Related Policies and Other Documents**

- Due Diligence Policy and Procedure

- Naming of University Assets by Donation Policy and Procedure
- Policy and Procedure on Conflicts of Interest
- Code of Conduct for Staff
- Code of Conduct for Governors, External Committee Members, University Officers and Senior Post Holders
- Anti-Bribery, Fraud and Corruption Policy and Procedure
- [Transforming Lives and Inspiring Change - the University's Strategic Plan](#)
- [The Higher Education Code of Governance](#)
- [The Seven Principles of Public Life](#)

### 13. Approval Process

This policy is subject to the approval of the Board of Governors and will be reviewed by them every three years.

### 14. Version Control

Version Control		Approval record	
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13/08/2019	Removal of references to the Advancement Team and Development Committee. Responsibilities redirected to UMT	Approved by UMT 13/08/19 Approved by Board of Governors by Chair's Action on 16/08/19	