



**Gift acceptance policy**

<b>Outcome requested:</b>	Council is asked to <b>approve</b> the Gift Acceptance Policy.
<b>Executive Summary:</b>	<p>[a] The Gift Acceptance Policy sets out how the University exercises the power granted under the Charter to accept philanthropic gifts.</p> <p>[b] The Policy has been rewritten to reflect current good fundraising practice, including the requirements of the Charity Commission, the Fundraising Regulator and the Council for Advancement and Support of Education. It also incorporates learning from a benchmarking review of similar policies at other research-intensive universities in the UK.</p> <p>[c] We have updated our gift agreement template in line with the revised Policy, with input from Pinsent Masons.</p>
<b>QMUL Strategy:</b>	Effective governance supports the achievement of all strategic aims.
<b>Internal/External reference points:</b>	The Policy is designed to reflect the legal requirements and standards which apply to fundraising, including the Code of Fundraising Practice of the Fundraising Regulator and guidance issued by the Charity Commission and the Council for Advancement and Support of Education (CASE).
<b>Strategic Risks:</b>	Financial and reputational
<b>Equality Impact Assessment:</b>	The Policy does not present potential equality impacts.
<b>Subject to prior and onward consideration by:</b>	<p>Under Ordinance 2, Council reserves to itself the power to approve the Gift Acceptance Policy in recognition of its importance for ensuring effective governance and safeguarding the good name of the University.</p> <p>Finance and Investment Committee considered the updated policy at its meeting on 25 September 2024 [m. 2024.006]. The Committee discussed the scope of the policy within the regulations and norms of philanthropy, and in the context of the updated ethical investment policy. The full FIC minutes are available to Council under item 6a.</p>
<b>Confidential paper under FOIA/DPA:</b>	No
<b>Timing:</b>	The Policy has been reviewed in the context of a strategic investment in support for philanthropy.
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<b>Date:</b>	16 September 2024
<b>Senior Management Sponsor:</b>	Jonathan Morgan, Chief Governance Officer and University Secretary

## Gift Acceptance Policy

### 1. Introduction

- 1.1 Queen Mary University of London welcomes support from philanthropists in furthering its mission, charitable objects and strategic priorities.

### 2. Purpose

- 2.1 This Policy establishes the framework and principles under which the University will, or will not, pursue philanthropic gifts.
- 2.2 The University's policy on non-philanthropic gifts is set out in the Standards of Business Conduct.

### 3. Regulatory context

- 3.1 The University has adopted this Policy to ensure that it acts in accordance with the legal requirements and standards which apply to fundraising, including the Code of Fundraising Practice of the Fundraising Regulator and guidance issued by the Charity Commission.
- 3.2 As a member of the Council for Advancement and Support of Education (CASE), the University also subscribes to the CASE Statement of Ethics, Donor Bill of Rights, Ethical Principles Behind the Acceptance of Gifts in Europe, and Principles of Practice for Fundraising Professionals at Educational Institutions.

### 4. Scope

- 4.1 This Policy applies to all philanthropic gifts to Queen Mary University of London and its subsidiary entities, including the Queen Mary, University of London Foundation (together, the 'University').
- 4.2 In this Policy, 'philanthropic gifts' includes all types of philanthropic donations, gifts in kind and endowments from private individuals, charities, trusts, foundations and other organisations.
- 4.3 Grants received by the University from government departments, and funding and regulatory bodies, are not subject to this Policy.

### 5. Principles

- 5.1 The University operates a presumption that it will accept any philanthropic gift on condition that:
- (a) the gift is provided voluntarily for the sole purpose of furthering the University's mission, charitable objects and strategic priorities without the expressed or implied expectation that the donor will receive anything more than recognition and stewardship in return;

- (b) the University assumes full ownership and control of the gift upon receipt, as well as any resultant work, project or asset;
- (c) acceptance of the gift, including consideration of the individual or organisation making the gift and the source of funds from which the gift derives, is within the law, accords with recognised standards in fundraising and aligns with the University's existing Codes of Practice, Policies and Regulations;
- (d) the identity of the donor is known to the University;
- (e) acceptance of the gift does not create an unacceptable conflict of interest for the University, or undermine the University's independence or the academic freedom of its staff; and
- (f) the University's reputation, money and other assets are protected.

5.2 Further to Section 5.1 above, the University will not:

- (a) accept philanthropic gifts derived from the proceeds of the sale of tobacco;
- (b) solicit or accept philanthropic gifts from applicants, or others associated with them, who are seeking admission to the University as a student;
- (c) accept philanthropic gifts from students, or any of their close family members, who stand to gain personally or academically from providing the gift.

## **6. Roles and responsibilities**

- 6.1 Council is responsible for the approval of this Policy and for seeking assurance on its effective operation.
- 6.2 The Director of Development and Alumni Engagement is responsible for the implementation of this Policy and for putting in place all associated procedures, guidance and training.
- 6.3 All members of staff and others acting for the University in relation to philanthropic gifts are responsible for complying with this Policy and must consult with the University's central Development team before entering discussions with potential donors.

## **7. Procedures for accepting and not accepting philanthropic gifts**

- 7.1 Decisions to accept or not accept philanthropic gifts of £1,000,000 and above, and gifts of lower value that potentially present a significant reputational risk to the University, are delegated to the Gift Review Committee, the terms of reference of which are set out at Appendix 1 to this Policy. The Director of Development and Alumni Engagement will determine whether the reputational risk associated with a philanthropic gift of less than £1,000,000 requires consideration by the Gift Review Committee.
- 7.2 Decisions to accept or not accept philanthropic gifts are otherwise delegated as follows, subject to a general requirement for decisions not to accept gifts to be approved by the Director of Development and Alumni Engagement:
  - (a) gifts of under £10,000 may be accepted by the relevant Development Manager;
  - (b) gifts of under £250,000 may be accepted by the Head of Development or the Head of Operations and Campaigns;
  - (c) gifts of under £1,000,000 may be accepted by the Director of Development and Alumni Engagement.

- 7.3 The Director of Development and Alumni Engagement will ensure that formal due diligence in relation to the principles in Section 5 is carried out for all philanthropic gifts of £10,000 or above and that a record is retained for six years, or the term of the gift agreement if longer than six years.
- 7.4 The Chief Financial Officer or their nominee will ensure that:
- (a) the nature or size of any gift does not result in an unacceptable current or future financial liability for the University;
  - (b) the acceptance of any gift in kind would not benefit a third party associated with the donor or conflict with the University's procurement policies.
- 7.5 The University will receive and administer philanthropic gifts through the Queen Mary, University of London Foundation (Registered Charity Number 1113376), unless the Chief Financial Officer or their nominee agrees that an alternative vehicle is more appropriate.
- 7.6 The receipt of each philanthropic gift will be subject to a formal gift agreement which reflects the principles in Section 5 of this Policy.
- 7.7 Named recognition in relation to philanthropic gifts is also subject to the University's Naming Policy.

## **8. Complaints**

- 8.1 Complaints about the University's fundraising activities should be directed as follows:
- (a) at the first stage, to the Director of Development and Alumni Engagement;
  - (b) at the second stage, to the Director of External Relations, only if the complaint cannot be resolved at the first stage.
- 8.2 Concerns about malpractice or wrongdoing in relation to the acceptance of philanthropic gifts may also be raised under the University's Whistleblowing Procedure.
- 8.3 The Fundraising Regulator operates a complaints scheme that can be invoked in the case of any concerns that have not been resolved within the University.

## **9. Review**

- 9.1 This policy will be reviewed at least every three years by the Council, on the recommendation of the Finance and Investment Committee, unless amendments are required sooner.
- 9.2 Minor updates that do not affect the rules, principles or intent of this Policy may be approved by the Secretary to Council on behalf of the Council.

Approved by the Council with effect from [date].

## **Appendix 1: Terms of reference of the Gift Review Committee**

The Gift Review Committee is established under the Gift Acceptance Policy and is responsible for decisions to accept or not accept philanthropic gifts of £1,000,000 and above, and gifts of lower value that potentially present a significant reputational risk to the University. In particular, the Committee is responsible for the following.

1. To make a clear and objective decision, in the light of due diligence, as to whether the University can accept a philanthropic gift in relation to the principles set out in the University's Gift Acceptance Policy.
2. To provide assurance to the Council on adherence to the Gift Acceptance Policy in relation to major gifts.

### **Membership**

- The President and Principal (Chair)
- Four other Senior Officers of the University as defined in Ordinance 3, chosen to advise across all aspects of the proposal
- The Director of External Relations or the Director of Communications
- The Director of Development and Alumni Engagement

### **In attendance**

- The Head of Operations and Campaigns in the central Development team (Secretary)

### **Mode of Operation**

The Gift Review Committee will meet as required and conduct itself in accordance with Ordinance 7.