



# UNIVERSITY OF PLYMOUTH

## **Donation Policy and Ethical Fundraising guidelines**

**Effective from (16 October 2024)**

## **CONTENTS**

<b>Section</b>	<b>Page</b>
<b>1. Purpose</b>	<b>3</b>
<b>2. Approval process</b>	<b>3-5</b>
<b>3. Ethical Guidelines for the Acceptance of Donations</b>	<b>5</b>
<b>4. Donor Rights</b>	<b>6</b>
<b>5. Fundraising Practices</b>	<b>6-7</b>
<b>6. Financial Accountability</b>	<b>7</b>

# University of Plymouth (the "University")

## Donation Policy and Ethical Fundraising Guidelines

Donations play a vital role in ensuring that the teaching and research that the University undertakes, continues to innovate, inspire and positively impact our future. We are very grateful for the support we receive from all our donors.

The University is an exempt charity under the terms of the Charities Act 2011. The Office for Students (OfS) acts as the principal regulator for universities that are exempt charities. We are required to operate within our charitable objectives, which focus on the delivery of education and research. Each year, as part of our financial statements we report on what the Charity Commission calls our 'public benefit activities'. These relate to our work to transform the lives of individuals and enhance the economic, social, cultural and creative life of our region and our communities.

The members of our Board of Governors are the University's Charitable Trustees, required to act at all times in the best interests of the University.

### 1 Purpose of this policy:

- 1.1 This policy governs the University's acceptance of donations and provides guidance to prospective donors when contemplating donating. It sets out donor rights, and the University's ethical principles and its commitment to best practice in relation to donor relations, by ensuring that:
  - 1.1.1 donors are identified, respected and stewarded appropriately so that all approaches are coordinated and professionally managed;
  - 1.1.2 the correct level of due diligence - appropriate for the size of the donation - is undertaken on all offers of contributions;
  - 1.1.3 accepted contributions are aligned to the University's strategic mission;
  - 1.1.4 donations are recorded correctly and reported transparently in the University's philanthropic returns.
- 1.2 Donations of all types are welcomed by the University. While donations are vital to the University, it is important that the University carefully considers the source of the donation and any requirements around the donation to determine whether it is able to accept the donation.
- 1.3 This document sets out the University's policy in relation to the acceptance and refusal of donations, endowments, pledges and legacies of any size; Donations of £5,000 (or of chattels with a value of £5,000) or more will be considered as a **"Major Donation(s)"**.

### 2 Approval Process

- 2.1 Any University member of staff approached by a potential donor or contacted by the executors of an estate in relation to any donation should contact the Development and

Alumni Relations Office (DARO) in the Marketing and Communications Directorate as soon as reasonably practicable.

- 2.2 The Development and Alumni Relations Office will coordinate the preparation of a due diligence report (a "**Donation Report**") in relation to each Major Donation. The level of due diligence required will depend on the size and nature of the Major Donation but should at least include:
  - 2.2.1 the name/identity of the donor;
  - 2.2.2 the address of the donor (or in the case of a corporate donor, registered address);
  - 2.2.3 the source of funds forming the Major Donation;
  - 2.2.4 if a corporate donor, details of their incorporation, registration, key officers, accounts and recent filings and information available at Companies House;
  - 2.2.5 if the Major Donation is to provide ongoing funding, for instance for a scholarship or award, the financial stability of the donor; and
  - 2.2.6 a report addressing all issues set out in section 3 below.
- 2.3 In relation to the acceptance of a Major Donation, a donation report will be compiled and will be reviewed by either the Development and Alumni Relations Officer, The University Registrar, the Chief Financial Officer, the Vice-Chancellor, The Finance Committee or the Board of Governors depending on the major donation size as detailed in the University's schedule of delegation and financial limits as amended from time to time.
- 2.4 If staff in the Development and Alumni Relations Office or any member of staff in the Marketing and Communications Directorate has any concerns in relation to any Donation, in particular concerning issues of reputational or financial risk at any level or those set out in section 3 below, approval should be sought from the University Registrar or Chief Financial Officer at the earliest stage possible.
- 2.5 The donor of any Major Donation shall be required to enter into a donation agreement with the University, in such form as the University may specify.
- 2.6 Where appropriate, the University will review past decisions as to the acceptance or refusal of Major Donations.

### **3 Ethical Guidelines for the Acceptance of Donations**

- 3.1 All philanthropic donations of any size received into the University must be recorded onto the University's central supporter database which is maintained by the Development & Alumni Relations Office.
- 3.2 For a Major donation to be acceptable:
  - 3.2.1 The purposes of the Major Donation will be compatible and complimentary to the charitable objects and values of the University.
  - 3.2.2 The donor and/or the source of funds of the Major Donation will be aligned with the University's mission, values and long-term goals
  - 3.2.3 Additional costs or burdens, if any, incurred by the Major Donation for the University will be declared and accepted by the University prior to acceptance

of the donation (this may be particularly relevant where the Major Donation constitutes chattels or real estate).

- 3.3 Any donation will be returned or refused in the University's sole discretion including:
  - 3.3.1 where there is reasonable belief that the donation has come from an illegal source – such as proceedings of crime
  - 3.3.2 where the donor lacks capacity
  - 3.3.3 where the donor does not own the donation
  - 3.3.4 where the terms of the donation require return eg in the event of unused funds
- 3.4 A donation may be refused or returned if the Major Donation, or any of its terms:
  - 3.4.1 fall outside of the University's objectives;
  - 3.4.2 comes with such restrictive conditions that to accept would compromise the University's independence;
  - 3.4.3 may result in a legal claim against the University;
  - 3.4.4 has such significant burdens associated with the donation that these outweigh the benefits of extra funds to the charity – e.g. a donated property with significant maintenance costs; or
  - 3.4.5 gives rise to unacceptable levels of private benefit to the donor
  - 3.4.6 is not compliant with applicable laws (including but not limited to National Investment and Security Act), or governmental or regulatory advice and guidance (including but not limited to Trusted Research guidance).
- 3.5 The University may in its sole discretion refuse to accept any donation, or sponsorship without giving reasons.
- 3.6 A donation that requires the donor to obtain certain rights or to obtain a certain benefit from the donation may be considered sponsorship and not a donation in accordance with HMRC guidance (<https://www.gov.uk/government/publications/vat-notice-70141-sponsorship/vat-notice-70141-sponsorship>) and will be subject to a sponsorship agreement and not treated as a donation.

#### **4 Donors' rights**

- 4.1 All fundraising solicitations, by or on behalf of the University of Plymouth, will disclose the University's name and purpose for which the funds are requested, as well as the role of the individual seeking the donation. Printed solicitations (however transmitted) will also include the University address or other contact information.
- 4.2 Donors and prospective donors are entitled to the following information upon request:
  - 4.2.1 the most recent published annual report and financial statements of the University;
  - 4.2.2 a copy of this policy; and
  - 4.2.3 the results of any personal due diligence undertaken by the University.

- 4.3 A donor's request to remain anonymous will be respected as far as possible; the donors' details will be held on the university donor CRM and marked as an "anonymous donor"; details of their name and donation will not be publicised.
- 4.4 Any donor records maintained by the University will be kept confidential to the greatest extent possible; privacy of donors and the confidentiality of donor records is protected under GDPR (University [Data Protection Policy](#) and [Alumni Privacy Notice](#)).
- 4.5 The University will honour a donor's request to:
  - 4.5.1 limit the frequency of solicitations from the University;
  - 4.5.2 not to be solicited by telephone or e-mail; and
  - 4.5.3 not to receive printed material concerning the University.
- 4.6 The University will respond promptly to a complaint by a donor or prospective donor about any matter that is addressed in this document, and any such complaint should be addressed to the Development and Alumni Relations Office.

## **5 Fundraising Practices**

- 5.1 Solicitations on behalf of the University of Plymouth will:
  - 5.1.1 be truthful;
  - 5.1.2 accurately describe the University's activities and the intended use of donated funds; iii) Respect the dignity and privacy of those who benefit from the University's activities.
- 5.2 Volunteers, employees and hired solicitors who solicit or receive funds on behalf of the University shall:
  - 5.2.1 adhere to the provisions of this policy;
  - 5.2.2 act with fairness, integrity, and in accordance with all applicable laws;
  - 5.2.3 adhere to the provisions of the Fundraising Regulator's Standards Committee Code of Fundraising Practice etc.;
  - 5.2.4 cease solicitation of a prospective donor who identifies solicitation as harassment or undue pressure;
  - 5.2.5 disclose immediately to the Head of Development and Alumni Relations or the Director of Marketing and Communications at the University any actual or apparent conflict of interest.

## **6 Financial Accountability**

- 6.1 The University of Plymouth's fundraising activities will be conducted in a responsible manner, consistent with the ethical obligations of stewardship and the legal requirements.
- 6.2 All donations will be used to support the charitable objects of the University of Plymouth.

University of Plymouth

Approved by: University Executive Group

Approved date: 16 October 2024

**JOB TITLE OF PERSON RESPONSIBLE FOR REVIEW** Head of the Development and Alumni Relations Office

This document will be reviewed annually. Next review on 16 October 2025