

GIFT ACCEPTANCE POLICY

1. Scope

Durham University 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 research, educational and outreach activities consistent with the charitable mission of the University.

This Policy covers the solicitation, acceptance, recording, oversight, and reporting requirements related to all gifts received into the University system – whether it is conducted by trustees, any staff members, students, volunteers, or third-party partner organisations with affiliated charitable status.

The University has an obligation to its trustees (Council), staff, students and wider stakeholders to ensure that funding opportunities are pursued enthusiastically to support the advancement of the institution. It also has a responsibility to ensure that the sources of donations – and the way in which donations are received and processed – do not in any way undermine the University's or donors' reputation or create any unacceptable conflicts of interest. In addition, funding will not be welcomed into the University where its acceptance would inhibit the ability of the institution to pursue free and independent academic enquiry.

2. Context

The University is an educational charitable and chartered corporation, exempt from registration with the Charity Commission under the terms of the Charities Act 2011. The University's Royal Charter number is RC000650. Under the Charities Act 2006, the Office for Students, as principal regulator, is charged with ensuring that universities fulfil their obligations under Charity law. The University's Exempt Charity registration number is X6507.

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

The Privacy Notice outlines the University's commitment to protect the personal information of donors and transparency of information held: www.dur.ac.uk/ig/dp/pnalumni/.

3. Acceptance Principles

3.1 The following principles will apply to the acceptance of gifts to Durham University:

- 3.1.1** The source and purpose must be consistent with the University's strategic aims and values.
- 3.1.2** The donation must comply with all statutes, laws and regulations in force, including the University's Money Laundering Policy.

- 3.1.3** Reasonable steps must have been taken to determine that funds were not illegally or immorally obtained, or breach sanctions regulations at the time of donation.
- 3.1.4** The donation must not create an unacceptable conflict of interest for the University with regard to issues including (but not limited to):
- Applications and admissions
 - Academic progression of any current or future student
 - Academic freedom
- 3.1.5** The donation must not result in an unplanned financial or operational liability.
- 3.1.6** The donation must not create reputational and/or other ethical risks for the University.

4. Procedures for Review of Donations

- 4.1** Generally, unless there is cause for further investigation, charitable entities registered with a recognised regulatory body will be exempt from proactive or enhanced due diligence screening. Recognised regulatory bodies include:
- The Charity Commission for England and Wales
 - The Office of the Scottish Charity Regulator
 - The Charity Commission for Northern Ireland
 - The Inland Revenue Service in the United States, principally related to 501(C)3 organisations (including Dunelm USA – an affiliated but independent US charity partner)
 - The Canada Revenue Agency
- 4.2** Statutory funding bodies, including research councils, are also exempt from enhanced due diligence screening.
- 4.3** For the avoidance of doubt, this Policy recognises specifically that legitimate giving vehicles (such as Charities Aid Foundation/Charities Aid Foundation USA and Donor Advised Funds) are often used to protect donors' identities and gifts from these intermediary organisations who have completed satisfactory due diligence will be accepted on that basis.
- 4.4** In order to comply with anti-bribery, anti-money laundering and financial accounting procedures, all gifts of any size received into the University must be recorded onto the University's central donor database Raiser's Edge (RE), which is maintained by DARO. This includes donations received by departments, institutes, schools, colleges, student organisations within the University framework, and other strategic units. Where possible, and always with donor consent, Gift Aid or other matching-funds will be sought to enhance the value of the gift.
- 4.5** In advance of any approach to a potential donor with a gift capacity exceeding £100,000, qualifying due diligence will be carried out to determine prospective

suitability against the principles set out in Section 3.1. This does not preclude the process set out in 4.12-4.15 below.

4.6 The Gift Acceptance Panel (GAP) has responsibility for decisions on the acceptance of philanthropic donations to the University in line with this policy. GAP membership is as follows:

- Chair of Ethics Committee (Chair)
- Two lay members of Council

In attendance at all meetings:

- University Secretary

In attendance at meetings (as required):

- PVC Global
- Director of Advancement, Marketing and Communications
- Director of DARO or delegate
- Chair of the Campaign Board
- Other University representatives, by invitation of the Chair

For further detail about the Gift Acceptance Panel, please see the [Gift Acceptance Panel Terms of Reference](#).

4.7 The GAP is a formal committee of the University, reporting to Council via Ethics Committee. The remit of this Panel is to ensure that the University, having considered a range of information and carried out appropriate due diligence, makes decisions on the acceptance of donations in accordance with this policy. Operational responsibility for the Panel is held by the Development and Alumni Relations Office (DARO).

4.8 The GAP will have the authority delegated by University Council to accept or reject donations on behalf of the University, as per the Terms of Reference, or request further information and/or enhanced due diligence in order to inform decision making. Council, via the GAP, will receive an annual report on all donations received.

4.9 The University Secretary is responsible for the collation and dissemination of information brought to the Panel.

4.10 Note that all decisions regarding Gift Acceptance – whether in terms of benefactors or individual donations, or related naming opportunities – will be subject to periodic review, and the thresholds below will take into account a donor’s cumulative giving.

4.11 The acceptance of personal gifts by members of University staff is covered by the University’s Procurement Policy.

4.12 Donations below £10,000:

4.12.1 Donations below £10,000 – whether single donations, recurring donations, or given as part of an existing pledge – given without conditions in support of an existing University endeavour will usually be accepted without further

investigation. If any reputational risk or other is identified proactively, it will be referred to the Chair of the Gift Acceptance Panel.

4.13 Donations below £100,000:

4.13.1 Basic due diligence¹ will be applied to all donations below £100,000 solicited or offered for a specific purpose. All gifts over £10,000 and up to £100,000 will be referred to the Chair of the GAP for formal acceptance.

4.14 Donations between £100,000 and £999,999:

4.14.1 Enhanced due diligence² will be conducted for all proposed donations of £100,000 and above. Gifts at this level will be referred directly to the Chair of the GAP.

4.15 Donations of £1,000,000 or above:

4.15.1 Enhanced due diligence will be conducted as above. Gifts at this level will be referred directly to the GAP for formal review and approval, and subsequently reported to the Chair of Council.

5. Gift Agreements and Pledge Counting

5.1 For gifts and pledges totalling under £10,000 (or equivalent), the following will apply:

5.1.1 Donors will be provided with appropriate acknowledgement and receipt of their gift, and provided with updates as to the progress enabled as a result of their gift, in a timely manner – either personally or via online updates to which donors can be directed.

5.1.2 Gifts will be directed as per donor instructions, or as mutually agreed in a 'Gift Agreement'. In cases where a gift with agreed restrictions has been received by the University but cannot – for legal or institutional reasons – continue to be directed to its original destination, the University will seek to use the funds in a manner which corresponds with the donor's original intention. Wherever possible, this will be done in consultation with the donor, or the donor's representatives, by written notification of the University.

5.1.3 Unless there are exceptional circumstances, Gift Agreements will track pledges over a maximum of five years for gift reporting purposes and/or include a five-yearly review point for pledges over five years.

5.1.4 Donors' right to remain anonymous will be respected completely but full details related to their gift will be recorded onto the Raiser's Edge database. Where a donation is made anonymously, DARO will seek to confirm the

¹ Basic due diligence checks include: source of wealth and/or origin of funds; reputational risks of receipt linked to existing philanthropy in the public domain; potential major conflicts of interest arising through gift agreements and/or other gift related documentation; and/or unacceptable operational or financial burdens caused by gift receipt.

² Enhanced due diligence checks include all of the above plus: advanced internet searches for key words; company ownership; directorships; source of wealth/investments; government links; family background; company background.

identity of the donor(s). Where this is not possible, and funds cannot reasonably be returned, the gift will normally be allocated to a scholarship or hardship fund.

5.2 For gifts and pledges totalling £10,000-£99,999 (or equivalent), all of the above stipulations will apply, in addition to the following:

5.2.1 the University will require either:

a) a Gift Agreement to be completed with the donor; or

b) clear written instructions from the donor or their representatives with regard to the scope, direction and purpose of their gift which the University will accept formally in writing.

If donations are sent before a Gift Agreement is signed by an authorised University Representative, or written notification has been finalised in some other acceptable form, this does not constitute the University's final acceptance of a donation and it may be returned subject to the adjacent terms.

5.3 For gifts and pledges of £100,000 or more (or equivalent), all of the stipulations above will remain applicable, in addition to the following:

5.3.1 Unless there are exceptional circumstances, Gift Agreements for donations of £100,000 or more will track pledges over a maximum of ten years for gift reporting purposes and/or include a ten-yearly review point for pledges over ten years.

5.3.2 Endowment funds will be invested in such a way as to maximise total return, in line with the University's ethical policies, and the amount forecast to be generated after inflation on the invested capital over the long term will be expended on an annual basis.

5.4 In addition to the due diligence and approval processes set out under Section 4, and in line with the University's list of Authorised Signatories under the Scheme of Delegation, final Gift Agreements will be signed by the following University officers:

Value	Responsible Officer
Up to £250,000	Director of Advancement or Director or Deputy Director of Development and Alumni Relations
£250,000 and above	PVC Global or Chief Financial Officer

6. Legacies and Bequests

Legacies and bequests will be monitored and received in the same way as all other gifts covered by this Policy. Enhanced due diligence will only take place routinely on estate bequests confirmed as valued over £1,000,000 and only once an estate has gone into administration, not when the University is first notified of a proposed legacy or bequest.

7. Student and Familial Giving

7.1 Donations are encouraged from those with a close connection to the institution and share our values, but the University has a balanced obligation to avoid the

perception of seeking or providing undue influence through donations. Gifts relating to the admission, college allocation, progression, degree classification, and/or inclusion in University teams and organisations of an individual student will not be accepted.

7.2 Gifts will not be accepted from prospective students who have applied but not yet been offered a place at the University, or their parents or family members. To avoid any potential or perceived conflict of interest, bursaries, scholarships or prizes funded by students, their parents, or families must not be available to the donor or any members of their family.

8. Types of Gift

The following gifts are or may be acceptable (depending on restrictions):

8.1 Cash, debit/credit card, cheque or bank transfer

For UK and ROTW donations with the exception of USA:

- Cash donations over £500 (or local currency equivalent) will not be accepted.
- All donations by cheque should be made payable to 'Durham University'.
- Donations via debit or credit card should be made online at <https://www.dunelm.org.uk/donations/donate-now> or via telephone at 0191 334 6305.
- Donations via bank transfer should be made to the University's main account. Bank details available on request from alumni.office@durham.ac.uk

For US donations:

- Please consult our partner charity's website www.dunelmusa.org/giving for full giving options.

8.2 Tangible personal property

Tangible personal property may include artworks, furniture, books, memorabilia, coin and stamp collections, jewellery, vehicles, intellectual property, and any other personal property items owned by a donor. The University will examine a potential gift of tangible personal property for the item's financial value, its potential use by the University, any associated ongoing risks or costs to the University and, if the item will not be used or kept, whether the item could be sold quickly and converted into cash.

8.3 Shares

The University can accept both publicly traded securities and closely held securities. Publicly traded and marketable securities may be accepted subject to completion of the necessary transfer formalities and the payment of any Stamp Duty.

As a general rule, all publicly-traded and marketable securities will be sold upon receipt unless otherwise directed by the Chief Financial Officer acting on the advice of appointed investment advisers.

Closely held securities, which include not only debt and equity positions in non-publicly traded companies but also interests in limited partnerships and limited liability

companies, or other ownership forms, can be accepted subject to the approval of the Chief Financial Officer. However, such gifts must be reviewed prior to acceptance to determine that:

- There are no restrictions on the security that would prevent the University from ultimately converting those assets to cash;
- The security is marketable or likely to become marketable in due course (without imposing any undue costs, administrative or other burdens in the interim);
- The security will not generate any undesirable tax or reputational consequences for the University.

In the normal course of events, every effort will be made to sell non-marketable securities upon receipt. The Chief Financial Officer will make the decision regarding acceptance and sale/retention of closely held securities.

8.4 Real estate (property and land)

Gifts of real estate may include gifts of developed property or undeveloped land. Prior to acceptance of gifts of real estate, the University shall require a structural survey or other similar review of the real estate to ensure that it offers no significant on-going financial or environmental risks or costs to the University. The cost of such survey or review will generally be an expense of the donor.

Gifts of Real Estate will be subject to the prior approval of the Chief Financial Officer. Considerations for the acceptance of the Real Estate include:

- Is the real estate useful for the purposes of the University?
- Is the real estate marketable?
- Are there any restrictions, reservations, easements or other limitations associated with the real estate?
- Are there on-going costs, which may include insurance, taxes and mortgages associated with the real estate?
- Does the structural survey show that the real estate is in a reasonable state of repair and likely to remain so prior to disposal?

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 convert it to cash at its absolute discretion.

8.5 Legacies and bequests

The University may accept legacies and bequests. The University asks donors wishing to leave a bequest or legacy to execute an appropriate Codicil in their will, or visit www.dunelm.org.uk/legacies for more information.

8.6 Endowments

Gifts of over £100,000 may, at the request of the donor, be placed in a permanent endowment according to the University's Ethical Investment Policy, and the income and/or capital used to support the donor's preferred area in perpetuity.

The University reserves the right to spend down, amalgamate, or transfer the capital value of donations should the return prove insufficient to meet the needs set out in the Gift Agreement for an extended period.

8.7 Other Gifts

The acceptance of gifts in any other form than those stated above will be considered on a case-by-case basis.

8.8 Library Gifts

Information regarding the University Library Gifts Policy is published at: www.durham.ac.uk/library/about/policies

9. Equality and Diversity

This policy has been designed to ensure that no one receives less favourable treatment due to protected characteristics. In line with the Equality Act 2010, donors may only restrict funding to a specific group according to one or more protected characteristic if there is evidence that the specified group is under-represented on a particular academic programme or at the University overall.

Should the criteria describing a scholarship award become inoperable, illegal, or obsolete (e.g. criteria based on gender, religion or nationality) the University reserves the right to adjust the criteria.

For donations related to and/or held in specific territories, the University will respect local laws and customs and/or applicable statutes and regulations within the relevant legal jurisdiction that may positively influence global EDI agenda.

10. Complaints

The University has a robust process in place to ensure complaints are given full and fair consideration and wherever possible resolved to the full satisfaction of all parties. Any complaints regarding matters addressed in this Policy should be addressed to the Director of Development and Alumni Relations.

11. Related Information

This policy should be read in conjunction with the University's [Donor Recognition Policy](#). The Donor Recognition Policy outlines the University's approach to the acknowledgement of donations via naming and alternative forms of recognition.

12. Version Control:

Approval date: 07/06/2022

Approved by: University Council

Contact for further information: alumni.office@durham.ac.uk