

# Donations Policy and Procedure

## 1. Background

- 1.1 The University of Huddersfield (“the University”) recognises corporate fundraising as a legitimate source of funding for the University. This policy sets out the University’s practice and applies to the solicitation and acceptance of donations and bequests by, or on behalf of, the University; and is intended to ensure that the source and proposed purpose for any philanthropic support is aligned with its vision, mission and values.
- 1.2 This policy applies to all members of the University who are raising funds for the University and in this context “member” shall include, but not necessarily be limited to, all members of University staff (including permanent, fixed term and temporary staff), Council members, students, secondees, volunteers, agency workers, interns, agents, sponsors and any others engaged in the business of the University in the UK or overseas.
- 1.3 This policy does not apply to:
  - personal/individual gifts, which are covered by the University’s Expenses and Benefits Manual (paragraph 64); or
  - Items donated to the University’s Archive, which are covered by the [Archives and Special Collections Service Acquisition Policy](#).
- 1.4 This policy should be read in conjunction with the following University policies: Financial Regulations; Expenses and Benefits Manual; Treasury Management Policy; and Anti-Corruption, Bribery and Fraud Policy.

## 2. Donations

- 2.1 For the purposes of this policy “donation” includes (but is not necessarily limited to) a financial donation; a gift of land or real estate; shares; artwork; collections of books; a legacy or bequest; and equipment.
- 2.2 Donors must understand that philanthropic support will not influence the University’s academic freedom. The University will operate its standard policies and procedures, including (but not limited to) recruitment, admissions, procurement, management and governance for all research, teaching and other activities irrespective of any donations received.

- 2.3 The University will maintain a register of donations received and this will be presented to University Council for review on an annual basis.

### **3. Responsibility for the Acceptance or refusal of Donations**

- 3.1 The University is an exempt charity and will at all times observe the requirements of charity law and its constitution, in relation to the acceptance of donations. Relevant guidance suggests that there is a presumption that, in general, it would be in the best interests of a charity to increase the resources at its disposal; as such, any decision to refuse a donation must be made following careful consideration.
- 3.2 The University Council is primarily responsible for the acceptance and refusal of donations; and must be able to demonstrate that it has acted in the best interests of the University in each case. This responsibility has been delegated to the Senior Management Team, who may refer to the University Council, when appropriate.
- 3.3 The University, having considered a range of information and, where necessary, undertaken due diligence procedures, will accept donations which are in the best interests of the University, including those where:
- 3.3.1 The source and proposed purpose of the donation are consistent with, and would not be detrimental to, its strategic objectives, in particular its vision, mission and values;
  - 3.3.2 Any conditions linked to the support are regarded as reasonable in relation to the nature of the support in terms of its size or impact on the work of the University;
  - 3.3.3 All reasonable steps have been taken to ensure that the University is aware of the source of funding for each donation and is satisfied that the funds do not derive from activity that was, or is, illegal; and
  - 3.3.4 Due regard has been taken of any reputational risk for the University which may derive from the acceptance of any particular donation.
- 3.4 All proposed donations to the University must be brought to the attention of the Director of Marketing and Communications and the Director of Finance prior to solicitation; they will jointly determine whether a donation agreement is required and what due diligence may be necessary.
- 3.5 Where due diligence is to be undertaken, this shall be at the point of proposal/solicitation, as opposed to acceptance. The purpose of due diligence is to evaluate the proposed donation and present an unbiased recommendation, which takes all known facts into consideration. Due diligence should be approached in a transparent manner and should not be influenced by personal judgement.
- 3.6 Due diligence will be co-ordinated by the Director of Finance and will seek to identify:

- 3.6.1 The identity of the donor/organisation;
  - 3.6.2 The source of funding and the activities in which the donor/organisation engage in;
  - 3.6.3 Any possible conflicts of interest; and
  - 3.6.4 The purpose of the donation.
- 3.7 The results of due diligence will be presented to the Senior Management Team (“SMT”) where a decision on acceptance or refusal of the donation will be made. If a donation is to be refused SMT will consider all the available due diligence information and make a recommendation to University Council.

## **4. Complaints and Return of Donations**

- 4.1 The University will not normally return a donation which has been accepted in good faith and in accordance with this policy; the circumstances in which a donation may be returned are extremely limited by law. However, exceptional circumstances may give rise to the need to review the acceptance of a donation. Any decision to return a donation shall be a matter for the University Council on the recommendation of the Vice-Chancellor.
- 4.2 The University will endeavour to respond promptly to a complaint by a donor or prospective donor about any matter addressed in this policy. The Director of Marketing and Communications will attempt to resolve the complainant’s concern in the first instance. If a complainant feels their concern remains unresolved, the Donor may invoke the [University’s External Complaints Procedure](#).

**POLICY SIGN-OFF AND OWNERSHIP DETAILS**

<b>Document name:</b>	Donations Policy and Procedure
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<b>Compliance Checks:</b>	Annual finance check against the Donations Register.
<b>Related Policies/Procedures:</b>	Financial Regulations; Expenses and Benefits Manual; Treasury Management Policy; and Anti-Corruption, Bribery and Fraud Policy.

**REVISION HISTORY**

<b>Version</b>	<b>Date</b>	<b>Revision description/Summary of changes</b>	<b>Author</b>
V1.0	30 March 2017	First redraft under the new Policy Framework	As above