



## **Gift Acceptance Policy Goodenough College, May 2022**

### **1. Introduction**

- 1.1. A Gift Acceptance Policy enables a charity to express its values and ethos and make its own decisions on whether to accept or refuse voluntary donations in light of its own circumstances. This policy should be read in conjunction with the College's Anti Money Laundering Policy.
- 1.2. In deciding whether to accept or refuse a particular donation, the law requires Trustees to carefully consider, on the basis of relevant law (including anti-money laundering legislation) and the evidence available to them, which course of action will be in the College's best interests. The law (Charities Act 1992) states that Trustees can refuse donations if they are not in the best interests of the charity to accept. In exercising this power, the Trustees must not allow personal views or prejudices to affect their conduct and decisions.
- 1.3. The Development and External Relations Team should always be able to explain their decision making to the Executive Team and Trustees. They will use the Gift Acceptance Policy to decide which supporters to approach and what support to accept. Once exclusions are agreed, decisions about whom to approach should be simplified. There will, however, always be complex individual cases that will require further consideration.

### **2. Goodenough College's Donations Advisory Committee**

- 2.1. Goodenough College's Board of Trustees takes full responsibility for all decisions on the acceptance of gifts, drawing on the advice of a Donations Advisory Committee. This Committee will be formed of three Trustees and/or Fellows of the College, with fundraising and/or audit experience, the College Director and the Director of Development and External Relations.
- 2.2. The Committee should review the Gift Acceptance Policy on a biennial basis. Otherwise, meetings will be called *ad hoc* to consider specific donations.

### **3. Goodenough College's charitable objectives**

- 3.1. The objectives for which the College is established are to organise, encourage and assist the education in England of students ("Resident Members of the College") from any part of the world, giving preference to students from the Commonwealth (with priority for students from those nations less able from time to time to provide resources and facilities of their own).

- 3.2 The Burn, the College's highland academic retreat, is managed as a holiday and study centre with the aim of enhancing education by providing a unique study and short-break centre to student groups from all around the world.
- 3.3 Goodenough College's Board of Trustees ('the Trustees') has a duty to maximise the College's income available to expend on pursuing Goodenough's charitable objectives. This duty is a legal obligation.
- 3.4 Goodenough College actively seeks opportunities to work with individuals and external organisations to achieve shared objectives. It is vital, however, that the College acts primarily to further its own objects and that it does not allow individuals and external organisations to bring the name of the College into disrepute. The College will adopt an attitude of professional scepticism in relation to its consideration of these matters.
- 3.5 Goodenough College, therefore, accepts financial support from, and works in partnership with individuals, companies and grant-making trusts on the following conditions:
- There are grounds for believing this will result in a benefit to British and international postgraduate students and academics;
  - The College is satisfied that neither the independence nor the integrity of the College would be compromised by accepting such support;
  - The College is satisfied that any publicity that results from accepting such support will be beneficial to the College.
- 3.6 This policy sets out the legal and ethical criteria that must be considered when accepting or refusing donations and also when deciding whether Goodenough College should be involved in opportunities connected with accepting donations, grants, sponsorships or other partnerships.

#### **4. All opportunities**

- 4.1 Each funding opportunity will be assessed on its own merits and reasonable efforts will be made to undertake an appropriate level of evidence-based due diligence. Responsibility for due diligence applies to all Goodenough staff and Board members and should be undertaken before a solicitation takes place as well as after a pledge or gift has been made. If anyone becomes aware of any circumstances that could present an ethical, financial or reputational risk regarding philanthropic donations, they should inform the Director of the College or Director of Development at the earliest opportunity.
- 4.2 The following principles apply to all opportunities (including donations; grants; sponsorships; gifts of property, shares and other securities; pro bono work or other partnership or arrangement).
- 4.3 Goodenough College **must** refuse opportunities where:
- i) the gift derives from any illegal activities such as (but not limited to) tax evasion, fraud or money laundering and where it is otherwise required to do so by specific, prevailing legislation.
  - ii) The gift is over £25K and from an anonymous source. In accordance with Charity Commission guidance, charities should not accept strictly anonymous gifts that are over £25K. They are permitted to list a donor as Anonymous, but the Charity must know the source of the donation.

#### 4.4 Goodenough College **may** refuse opportunities where:

- i) the gift comes from an individual or organisation which is in direct conflict with Goodenough's vision: 'a fellowship of global citizens with shared values of tolerance, respect, understanding, service and togetherness (reflecting the spirit of the UK and the principles of the Commonwealth)';
- ii) it is believed that the cost to the College of accepting a donation/opportunity will be greater than the value of the donation/opportunity itself;
- iii) the gift is deemed to come from a vulnerable person or a person in vulnerable circumstances;
- iv) the gift is made with the intention of influencing the College with an explicit or implicit exchange for favours or benefits;
- v) the gift, through either its magnitude or nature, will unduly restrict the College's ability to deliver or to be seen to deliver the full scope of its charitable endeavour;
- vi) it is considered that the opportunity may bring the College into disrepute or involve the College in controversy or publicity which would do meaningful damage to Goodenough's reputation and standing;
- vii) it is otherwise encouraged by specific prevailing legislation.

#### 4.5 All opportunities must clearly comply with the College's Anti Bribery and Corporate Criminal Offences Policies.

### **5. Gift acceptance**

#### 5.1 Goodenough will only accept donations which are compatible with charitable law, as implemented by the Charity Commission, and other relevant law, including tax law and VAT, as set out by HM Revenue and Customs. Goodenough also adheres to relevant legal and best practice guidelines, including:

- The Charity Commission's CC20 and chapter 2 of the compliance toolkit
- Section 2.3 of the Fundraising Regulator's Code of Fundraising Practice
- The Chartered Institute of Fundraising Due Diligence Checklist
- CASE Ethical Principles behind the acceptance of gifts

#### 5.2 A donation from an individual or an organisation that is not aligned with Goodenough's charitable cause and values may attract questions from our Alumni, Members and other supporters and may lead to materially adverse media coverage thereby damaging our reputation.

#### 5.3 A proposed donation from a source that is unexpected, i.e. when a donor appears without being approached first, represents the greatest risk. This is more likely to happen as the College's fundraising activities reaches a wider audience and the work of the College becomes better known.

#### 5.4 Donors must accept and, for gifts greater than £10K, sign appropriate gift agreements confirming the management and governance of programmes. The College should

employ its standard procedures relating to recruitment, admissions, management and governance for all capital and Scholarships and Bursaries funded by gifts.

5.5 Where the College and donor agree to name a building, room, Scholarship or any other aspect of activities in recognition of a particular benefaction, the duration of such naming opportunity should preferably not be longer than ten years (never in perpetuity) and agreed between the donor and the College. In addition, the College reserves the right to withdraw such named recognition in the future, where:

- it transpires that the source of the funding is suspicious or arose in whole or part from any activity listed under the recommendations regarding the refusal of donations;
- the actions of the donor lead the alignment of the College with the named party to materially damage the College or its ability to deliver its charitable objectives;
- the donor does not meet its commitments in full and in line with the agreed timescale.

## **6. International partnerships**

6.1 The College's international partner organisations, such as the London Goodenough Association of Canada and the Chapel and York Foundation (our US tax efficient giving vehicle), will be made aware of this policy. They must not accept a donation to support the College from:

- a donor from whom the College has refused support; or
- a donor not meeting the requirements of the College's gift acceptance policy, were the donation to be received direct by the College.

6.2 Failure to apply these rules would prevent the College accepting subsequent support from the international partner organisation.

## **7. Commercial participation agreements**

7.1 Fundraising through commercial participation covers much corporate fundraising, sponsorship and other exchange of benefits. Goodenough College is not obliged to enter into these arrangements but when it does, care needs to be taken to ensure that deals of this kind do not damage the College's reputation or are in some other way not in the best interests of Goodenough College. Goodenough should not become involved with any person, organisation, business or cause which, in the opinion of the College, might bring the College into disrepute or involve Goodenough in controversy or publicity which would do damage to the College's reputation and standing. At all times Goodenough College must enter into a written agreement with all corporate partners. This agreement will set out clearly the nature of the partnership and the obligations of each party.

## **8. Goodenough College's fundraising ethics process for governance**

8.1 The Donations Advisory Committee is an Advisory Committee to the College leadership regarding matters relating to the acceptance of voluntary donations. It reports to the Board and the College Executive.

8.2 Board Trustees delegate daily decisions on the acceptance of donations under £100k to the College's Executive and Development and External Relations teams who will work to the following sign off procedure.

- 8.3 The College Director, Director of Development and Executive will ensure that the Donations Advisory Committee (and, when the College has chosen to accept such a gift, the Audit Committee) is made aware of any potentially suspicious donations and any significant and potentially contentious issues.

## 9. Sign off procedure:

Value of Gift	Decision on Acceptance can be made by
Under £50k	Director of Development and External Relations
Between £50k and £100k	The Director and Executive Team of Goodenough College
Between £100k and £1m	Donations Advisory Committee by majority. The Chair of the Board should be informed of any disagreement amongst the members of the Donations Advisory Committee.
Over £1m	The Board, acting on the advice of the Donations Advisory Committee.

- 9.1 The Executive team assesses donations using an approval form. The Executive will decide whether to approve, reject, request more information and send its decision in writing to the Donations Advisory Committee.
- 9.2 The Donations Advisory Committee must review any gift between £100k and £1m prior to submission to the Chair of the Board or the Board as a whole for a recommendation.
- 9.3 If those with the delegated authority are unable to conclude whether a gift of less than £100k should be accepted or rejected under the Gift Acceptance Policy, the gift must be referred to the Donations Advisory Committee for a recommendation.
- 9.4 If those with the delegated authority do not feel able to accept the recommendation of the Donations Advisory Committee, the matter must be referred to the Board as a whole for a binding decision.
- 9.5 All donations accepted or rejected over £100K will be reported to the College's Audit Committee. Goodenough College's Development and Finance teams will take all reasonable steps to ensure that they are aware of the source of funding for each gift and have processes in place to satisfy themselves that the funds do not derive from activity that was illegal or runs counter to the core values of the College.
- 9.6 A gift by a donor who wishes for their name to remain anonymous to all but those who closed the gift should be dealt with, as far as possible, in exactly the same way as other gifts. If the donor is prepared to reveal their name to the Director, and/or the Director of Development and External Relations, it will fall to those Executives to determine its acceptability in terms of the sign-off procedure outlined in this document. The donor must be informed of this process from the beginning of any discussion.
- 9.7 If the College is asked to refund a donation made in error, then it must ensure that it complies with relevant Anti Money Laundering requirements. Any refund in excess of £10,000 must be authorised by the Director of Finance and Resources, or the Director on the recommendation of the Head of Finance.
- 9.8 The College is a member of CASE (Council for Advancement & Support of Education), a professional association serving educational institutions and the advancement of professionals who work on their behalf in Alumni relations, development,

communications, marketing and allied areas. As such the College fully subscribes to the following:

- Case Europe: Ethical Principles behind the Acceptance of Gifts
- CASE Statement of Ethics
- Principles of Practice for Fundraising Professionals
- Donor Bill of Rights.

9.9 Governance, terms of reference and processes should be reviewed on an biennial basis or more frequently if it is felt necessary.