

Policy and Guidelines for the Acceptance and Refusal of Donations

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Part I Core Principles

1 Introduction and scope of policy

- 1.1 Northumbria University has an obligation to ensure that it conducts its fundraising and relationships with donors in an ethical manner. This includes accepting donations only from sources which support its Strategy. The University will only accept donations when this is clearly understood and accepted by all parties.
- 1.2 The purpose of this policy is to allow the University to make clear and consistent decisions regarding the acceptance or refusal of donations.
- 1.3 This policy applies to the Board of Governors, staff of the University's Advancement Office and all University staff, volunteers and third parties engaged in fundraising or receiving and managing donations on the University's behalf.
- 1.4 This policy only applies to philanthropic Donations, both financial and non-financial, and does not cover small or token Donations received by the University or its staff, which are covered by the University's Donations and Hospitality Policy.
- 1.5 This Policy applies to all university activities undertaken in the UK and overseas. It does not apply to the Northumbria University Nursery or Northumbria Students' Union.
- 1.6 Notwithstanding any delegation arrangements within the University, ultimate responsibility for all fundraising activities and for decisions in relation to the acceptance or refusal of all donations, rests with the Board of Governors.
- 1.7 This policy consists of two parts, which should be read together
 - 1.7.1 Part I – Core Principles
 - 1.7.2 Part II – Operational Guidelines
- 1.8 The following Appendices also form part of this policy and must be read in conjunction with it:
 - 1.8.1 Appendix 1 The University's policy and procedures for carrying out due diligence in relation to donors ('Due Diligence Policy')
 - 1.8.2 Appendix 2 Definition of Philanthropic Funds
 - 1.8.3 Appendix 3 The duties of the Board of Governors of the University, and their delegates when making decisions in accordance with this policy
 - 1.8.4 Appendix 4 Non-financial philanthropic giving
 - 1.8.5 Appendix 5 Details of standard payment processes
- 1.9 This policy reflects the Ethical Principles Behind the Acceptance of Donations (2011) developed by the Council for Advancement and Support of Education (CASE) Europe and has been adopted by the Board of Governors. It will be reviewed annually by the Head of University Advancement who may make necessary amendments. Such amendments may relate to the monetary values specified in this policy and/or amendments to reflect major risks associated with it or changes to relevant legal and regulatory requirements or other University policies or regulations. Any significant amendments must be approved by the University Executive. A review will be carried out by the Board of Governors every 5 years.

2 Definitions and interpretation

2.1 In this policy, a phrase where the word 'must' is used indicates a requirement that is mandatory under the policy (whether because it reflects a legal requirement or otherwise).

2.2 In this policy, the following words and expressions have the following meanings:

2.2.1 '**Acceptance and Refusal of Donations Policy**' means this policy together with its appendices.

2.2.2 '**CASE**' is the Council for Advancement and Support of Education.

2.2.3 '**Code**' means the Fundraising Regulator's Code of Fundraising Practice.

2.2.4 '**Advancement**' means the University's Advancement Office.

2.2.5 '**Advancement staff**' means University staff employed in the University's Advancement Office.

2.2.6 '**Data Protection Policy**' means the University's Data Protection Policy

2.2.7 '**donor**' means a person or organisation that gives philanthropically to the University, including individuals, charitable trusts and foundations, corporate organisations (and government agencies) and, where the context permits, includes a prospect.

2.2.8 '**donation**' or '**Donation**' means a philanthropic donation or philanthropic donation and includes any form of philanthropic support received by the University, including cash, stocks and shares, property, and donations in kind of equipment, artefacts, etc.

2.2.9 '**Donor Charter**' means the University's stated commitments to donors as updated from time to time.

2.2.10 '**due diligence**' means the process for researching and assessing prospective donors, to be carried out in accordance with the University's Due Diligence Policy.

2.2.11 '**Due Diligence Policy**' means the University's donor due diligence policy and procedures included at Appendix 1.

2.2.12 '**fundraising**' means all fundraising activities of the University including soliciting donations/donations, managing relationships with donors, bidding for, and managing philanthropic funding and the receipt and stewardship of funds raised.

2.2.13 '**legal advice**' means advice from the University's Legal Services team in the first instance and/or, where deemed by that team to be appropriate, external legal advice.

2.2.14 '**Naming Policy**' means the University's policy and guidelines for the naming of University buildings, centres, posts and awards.

2.2.15 '**philanthropy**' means the desire to promote the welfare of others, expressed especially by the generous donation of money or donations to worthy causes.

2.2.16 '**Policy Statement**' means the University's policy statement in relation to the acceptance and refusal of donations set out at 3.1 of Part I of this policy.

2.2.17 '**prospect**' means a person or organisation that has indicated a willingness or intention to give to the University (or is assessed as possibly being so willing), including individuals, charitable trusts and foundations, corporate organisations (and government agencies), but who has not previously donated.

2.2.18 '**staff engaged in fundraising on the University's behalf**' refers to staff other than Advancement staff engaged in fundraising in any way on behalf of the University and includes all academic and non-academic staff, students, volunteers and (where the context permits) Governors.

2.2.19 '**University**' means Northumbria University.

2.2.20 '**UE**' means the University Executive.

3 Policy statement and guidelines relating to the acceptance and refusal of donations

3.1 As a charity, the University is obliged to accept all philanthropic donations unless it would be unlawful to do so or would be detrimental to the achievement of the University's charitable educational purposes.

3.2 In recognition of this obligation, it is the University's policy that it will accept all philanthropic donations except those that it judges to be obtained from activities which are or could be deemed to be unlawful whether in the United Kingdom or overseas or those which could otherwise adversely affect the reputation of the University or compromise its academic freedom or integrity.

3.3 Each donation will be considered on a case-by-case basis in accordance with the procedures set out in this policy. However, in accordance with its Policy Statement, the University's general position is that it will only refuse a donation when, in the University's opinion:

3.3.1 The donation results from unlawful activities (including unlawful discrimination, violation of international conventions on human rights or any form of theft, bribery, fraud, tax evasion, money laundering or terrorist activity) whether in the UK or overseas.

3.3.2 The donation requires any unlawful action by or on behalf of the University or its staff or was obtained by means that are outside of the scope and spirit of the Code.

3.3.3 The donation derives from any activity that limits freedom of enquiry or is contrary to the University's core values of impartial, independent research, scholarship, and teaching.

3.3.4 The activities of the donor are otherwise contrary to the values and strategic goals of the University, such that association with the donor could adversely affect the reputation of the University or its ability to further its charitable educational purposes.

3.3.5 The conditions attached to the donation tie it to a specific activity which is likely to cause an unacceptable actual or perceived conflict of interest for the University or any of its Governors and/or is not in keeping with values and strategic priorities of the University.

3.3.6 The donation could give rise to an actual or perceived conflict of interest between the donor and their activities, and the area of work or research being funded at the University.

3.3.7 The donation is likely to cause unacceptable damage or injury to third parties.

3.3.8 The donation risks harming the University's relationship with other donors or inhibiting unreasonably the University's ability to seek donations from other sources including research income.

3.3.9 The cost to the University of accepting the donation is calculated to be greater than the financial value of the donation itself.

3.4 The Advancement Office will ensure that all accepted donations meet CASE's criteria to be classed as philanthropic, as detailed in Appendix 2 Definition of Philanthropic Funds. If there is doubt that a donation will not meet the criteria, the opportunity will be shared with Research and Innovation Services and Global Marketing and Business Services who will decide whether the University should pursue it and if so, who will lead and manage the opportunity.

4 Other associated university policies

4.1 All Advancement staff and other University staff involved in fundraising on the University's behalf must always follow the University's policies and procedures.

4.2 It is particularly important that all staff involved in fundraising adhere to the following policies:

- 4.2.1 University Financial Regulations and Delegated Authority Matrix.
- 4.2.2 Fraud and Bribery Policy.
- 4.2.3 Anti-Money Laundering Policy.
- 4.2.4 Naming Policy.
- 4.2.5 Donations and Hospitality Policy.
- 4.2.6 Donor Charter.
- 4.2.7 Data Protection Regulations Policy.
- 4.2.8 Freedom of Information Policy.
- 4.2.9 Disclosure and Conflicts of Interest Policy.

5 Relevant external context and policy guidance

5.1 As a higher education corporation under the Education Reform Act 1988, Northumbria University is an 'exempt' charity as defined in the Charities Act 2011. An exempt charity has charitable status and is required to comply with charity law, but unlike other charities it:

- 5.1.1 Cannot register with the Charity Commission
- 5.1.2 Is not directly regulated by the Commission and instead has a principal regulator
- 5.1.3 May only be investigated by the Commission as part of a statutory inquiry at the request of its principal regulator

5.2 Although the University's principal regulator for charity law purposes is the Office for Students (rather than the Charity Commission), the Charity Commission's published guidance, along with other relevant external resources, is useful in setting out the relevant legal requirements.

5.3 The guiding principles and processes that have formed the basis of Northumbria University's Policy and Guidelines for the Acceptance and Refusal of Donations can be found in the following reports:

5.3.1 Charity Commission, Charity Fundraising: A Guide to Trustee Duties (2016) <https://www.gov.uk/government/publications/charities-and-fundraising-cc20>

5.3.2 Fundraising Regulator, Code of Fundraising Practice (2021) <https://www.fundraisingregulator.org.uk>

5.3.3 Institute of fundraising, Acceptance, Refusal and Return: A Practical Guide to dealing with Donations (2018) <https://ciof.org.uk/events-and-training/resources/acceptance,-refusal-and-return-a-practical-guide-t>

5.3.4 CASE Europe: Ethical Principles behind the Acceptance of Donations (2011) <https://www.case.org/resources/ethical-principles-behind-acceptance-Donations-europe>

Part II - Operational guidelines

1 Philanthropic fundraising plan, delivery, and decision-making

- 1.1 The overall philanthropic fundraising strategy and priorities for the University are approved by the Board of Governors following approval by the University Executive and the Finance and Employment Committee.
- 1.2 The University Executive has the delegated authority to approve the programme of philanthropic fundraising activity delivered by the Head of University Advancement who

may in turn delegate matters to members of his/her team, but other staff and volunteers across the University are also engaged in fundraising on the University's behalf.

1.3 The Board of Governors determines the decision-making policies and procedures for the acceptance and refusal of donations as articulated in this policy and in so doing delegates certain decision-making powers to the Vice-Chancellor and Chief Executive, the University Executive, the Director of Strategic Planning, Head of University Advancement and Advancement staff in line with this policy.

1.4 All staff engaged in fundraising on the University's behalf must adhere to the decision-making policies and procedures with respect to the acceptance and refusal of donations as articulated in this policy. Staff must recognise the limits of their decision-making authority and the process for referral where their authority would otherwise be exceeded.

2 Responsibilities of the Board of Governors

2.1 Ultimate responsibility for overseeing the fundraising activities of the University rests with the Board of Governors who must have regard to national guidance when discharging this responsibility. This includes all decisions relating to the acceptance and refusal of donations, even where decision-making has been delegated to staff.

2.2 The Board of Governors is responsible for all decisions relating to the acceptance or refusal of donations and funding in the best interests of the University, although it may delegate decision making. The Board of Governors must act in accordance with their duties as set out in Appendix 3.

2.3 Where the Board has delegated decision-making powers to members of staff, all staff must ensure that they take all decisions relating to the acceptance or refusal of donations in the best interests of the University. In exercising their delegated powers, staff are required to comply with the duties set out in Appendix 3.

3 Responsibilities of University Advancement

3.1 University Advancement staff are responsible for working with university colleagues to:

3.1.1 devise the University's plan for philanthropic fundraising in support of its vision, mission, and strategy.

3.1.2 implement the University's philanthropic fundraising programme.

3.1.3 cultivate and steward relationships with prospects and supporters, including major and principal donors.

3.1.4 conduct due diligence on prospects and donors in accordance with this policy and the Due Diligence Policy in Appendix 1.

3.1.5 make decisions in relation to the acceptance/refusal of donations and associated naming opportunities where such approval is within their delegated authority.

3.1.6 document Donation Agreements with donors (with legal advice where appropriate).

3.1.7 implement the University's Donor Charter and deal with any complaints received from donors and members of the public in connection with the University's fundraising practices.

3.1.8 record and report on all philanthropic donations received by the University and ensure donors are thanked and recognised appropriately.

3.2 University Advancement staff must, in discharging their responsibilities, observe and promote the highest standards of personal and professional conduct and the University's Donor Charter and must continually strive to increase their professional knowledge.

3.3 When carrying out fundraising activities and supporting other staff of the University engaged in fundraising, University Advancement staff must comply with all relevant legal and regulatory requirements to which the University is subject in the context of fundraising and the voluntary codes to which it has subscribed including (but not limited to):

3.3.1 the requirements of charity law and guidance issued by the Charity Commission.

3.3.2 the Code of Fundraising Practice issued and maintained by the Fundraising Regulator.

3.3.3 the Ethical Principles for Fundraisers adopted by CASE.

3.3.4 data protection law and privacy law, specifically the General Data Protection Regulation (GDPR) and the Privacy and Electronic Communications (EC Directive) Regulations (2003) and guidance issued by the Information Commissioner's Office.

4 Responsibilities of other university colleagues involved in philanthropic fundraising

4.1 All University staff who are or are considering making a direct approach to a prospect or donor, or who have been approached by a prospect or donor or who are in discussions with a prospect or donor must contact the Advancement Office in the first instance. Staff must consider any specific or general directions or advice given by the Advancement Office in relation to the donation in question. The Advancement Office must be included in the development of all philanthropic funding applications, donor requests and agreements and included in the decision making around their progression.

4.2 Contacting the Advancement Office is essential to allow appropriate due diligence to be undertaken where required in accordance with the Due Diligence Policy and for the donation to be recorded and accounted for by the Advancement Office. Failure to do so risks reputational damage for the individual Faculty or Service soliciting the donation, for the donor and for the University if a donation has subsequently to be declined or returned following due diligence.

4.3 Donations of less than £5,000 will not generally require due diligence in accordance with the Due Diligence Policy (although the Advancement Office may decide that due diligence should be carried out in accordance with the policy). Where no due diligence is required, the donation may be accepted by the Faculty Pro Vice-Chancellor, Faculty or Service Director or other member of staff who has been designated to accept donations at that level. The Advancement Office must be contacted prior to accepting any philanthropic donation.

4.4 For donations which require due diligence, the approval process is set out in Section 5 below and in Appendix 1.

4.5 All staff involved in soliciting and receiving donations must follow the University Financial Regulations and Delegated Authority Matrix and the University's Donor Charter, with sign off by the Advancement Office.

5 Due diligence

5.1 Due diligence on prospects and donors is essential to enable the University to manage possible reputational risks associated with soliciting and accepting philanthropic donations. Due diligence needs to be proportionate and appropriate and respect the legal and reputational rights of prospects and donors.

5.2 The University will carry out due diligence in relation to prospects and donors in accordance with this policy and its Due Diligence Policy included in Appendix 1.

5.3 Due diligence must be carried out by the Advancement Office staff or by third parties instructed by the Head of University Advancement to carry out due diligence on the University's behalf.

5.4 In carrying out donor due diligence, the University's Data Protection Regulations Policy must be adhered to.

6 Acceptance and refusal of donations - decision making authority and approval process

6.1 The University's delegated decision-making authority and approval process in relation to accepting and refusing donations seeks to balance the need to protect the University from reputational risk in connection with donations against the need for operational expediency.

6.2 The delegated authorities and approval process set out below apply to both:

6.2.1 single donations corresponding to the values specified (whether paid in a lump sum or by instalments); and

6.2.2 donations made by a donor who has previously donated to the University which, when added to other donations made by that donor in the last five years, correspond to the values specified.

6.3 In the context of the approval process, "accepting" a donation means approving it for entry into a Donation Agreement with the donor.

6.4 Specific University financial regulations relating to philanthropic income are detailed in section 14.18 – 14.22 of the University Financial Regulations and Delegated Authority Matrix. As specified within this section:

6.4.1 Philanthropic donations from individuals, companies, charitable trusts and foundations must be dealt with in accordance with the Policy and Guidelines for the Acceptance and Refusal of Donations.

6.4.2 Donation Agreements signed by internal and external stakeholders must be in place for all donations of over £5,000. Where it has been agreed that donations will be restricted to a specific purpose, funds must be spent according to the donor's wishes.

6.4.3 Due diligence must be carried out for all donations of over £5,000.

6.4.4 Philanthropic donations of over £25,000 must be subject to enhanced due diligence checks.

6.4.5 It is the responsibility of the Advancement team to provide advice and guidance on the acceptance and usage of philanthropic income, to track its expenditure and to provide updates and reports to donors.

6.5 Other regulations within the University Financial Regulations and Delegated Authority Matrix that are applicable to philanthropic income, and will be implemented through the Philanthropic Donations and Donations Policy are:

6.5.1 All Donation Agreements which use the standard template must be sent to Legal Services for inclusion on the legal contract register following signature by both parties. If there are any amends to the standard template or another party's agreement is being adopted, legal services will need to review in advance of it being signed.

6.5.2 All agreements with a value of over £100,000 must be supported by a duly completed contract checklist in advance of execution and retained by Legal Services for a period of six years.

6.6 The Advancement Office will ensure that all donors are acknowledged and updated on progress and stewarded thereafter as specified within the Donor Charter.

6.7 When determining the potential value of donation, consideration should be given to the total estimated aggregate income for the duration of the potential agreement, including any possible extension periods.

6.8 Where the University is the principle/lead agent in any agreement, the full/gross value of the donation should be used to determine the correct level of approval mandate, not simply the net amount that the University will retain following partner payments or similar disbursements for activities sub-contracted to other parties.

6.9 The Advancement Office is responsible for ensuring that income-generating activity is identified, sales orders are raised, and income is received through approved receipting channels.

6.10 The following matrix sets out the levels of delegated authority within the University as specified within the University Financial Regulations and Delegated Authority Matrix. The levels of delegated authority relate to both the approval of expenditure and income.

Authoriser	Maximum Amount
G5/6	£500 *
G7/8	£10,000 *
G9	£25,000 *
Head of Department and Faculty Pro Vice-Chancellor	£50,000 *
Service Directors and University Executive member	£100,000
Chief Finance Officer and Vice-Chancellor	Up to £500,000 each or up to £2m for joint approval
Employment and Finance Committee	£2m +

* These limits are available if expressly granted by Principal Budget Holder (Section 9 of the University Financial Regulations and Delegated Authority Matrix)

6.11 The regulations, approval thresholds and due diligence processes outlined within this policy apply to the donation of non-financial donations as well as financial donations. As well as permanently donating donations, philanthropists may occasionally donation or donate items to the University for a specified time (e.g., under a Loan Agreement). In such cases, the procedures outlined in this policy remain valid and should be applied. Specific procedures to be adhered to for non-financial donations are outlined in Appendix 4.

6.12 Any donation, regardless of value, which in the opinion of the Head of University Advancement would contravene the University's Policy Statement and guidelines, could give rise to significant public interest or potential controversy, or which raises complex questions regarding acceptability, must be referred at the earliest possible stage to the Vice-Chancellor and, if deemed necessary by the Vice-Chancellor, the Chair of the Board of Governors.

7 Record keeping, monitoring, and reporting

7.1 Clear roles and responsibilities regarding fundraising and the management of philanthropic donations, regardless of where they emanate from across the institution, are established and adequate training and guidance are provided for key staff involved in prospecting and handling philanthropic donations.

7.2 Donation management and stewardship is managed by the Advancement Office, working closely with Finance and Legal Services, where relevant, to ensure that the necessary audit trail is in place. Details of standard payment processes can be found in Appendix 5.

7.3 Appropriate written documentation will be prepared for all accepted donations. A formal Donation Agreement, between the donor and the University, which clarifies ownership issues and confirms the terms and conditions of the donation, will be prepared for all donations of £5,000 or over. This will be signed in accordance with the University Financial Regulations and Delegated Authority Matrix.

7.4 The Advancement Office will keep a register of all philanthropic donations, whether accepted, withdrawn or declined, and the purpose for which these were offered to the University. An audit trail of the rationale for the decision to accept or reject a donation should be maintained. Records of all due diligence checks undertaken will be kept for a minimum of six years.

7.5 Records will be subject to the Freedom of Information Act 2000 and therefore (subject to any statutory exemption) disclosable to the public on request. Documents and information may also be disclosable to the University's regulators or the courts. In instances where a potentially sensitive donation is accepted or a donor requests privacy, Legal Services will be consulted to establish if there is a requirement to reduce the reputational risk of public disclosure or to protect a donor's privacy where legally possible.

7.6 A register of 'Donations in kind' must be maintained by the Advancement Office. This register must be submitted for inspection and review by the University Executive on an annual basis or as required.

7.7 University Advancement will monitor donations which the University has already received and will maintain up to date records in relation to all donations received in the previous five years. If an existing donation is considered to contravene the University's Policy Statement or guidelines or give rise to significant public interest or controversy, the Head of University Advancement must refer the matter immediately to the Director of Strategic Planning and, if deemed necessary, the Vice-Chancellor.

7.8 The Head of University Advancement will prepare an annual report on philanthropic fundraising (including cash and new funds raised and major donations including those

which have been declined) for the Director of Strategic Planning and the Vice-Chancellor, for discussion at appropriate University committees as required. A confidential appendix will also be provided detailing current donors who wish to remain anonymous as well as donations in kind.

8 Review of previous decisions to accept donations

8.1 The University can at any time review and reconsider previous decisions taken in good faith relating to the acceptance or use of donations.

8.2 In any circumstances where a donation already received is considered to contravene the University's policy statement or guidelines or give rise to significant public interest or controversy or where the University's continued association with the donor is considered not to be in the best interests of the University or organisations that the donor is associated with, the University's response should be transparent and proportionate.

8.3 Where a Donation Agreement authorises the University to terminate the agreement where the University's continued association with the donor is considered not to be in the best interests of the University, the decision to terminate must be referred by the Head of University Advancement to the Director of Strategic Planning and, if deemed necessary, the Vice-Chancellor.

8.4 Where the financial loss to the University of terminating the Donation Agreement is considered by the Vice-Chancellor to be significant, or termination could give rise to significant public interest or controversy or could otherwise cause damage to the University's reputation, the decision must be referred to the Chair of the Board of Governors in the first instance.

9 Return of Donations

9.1 Where a donor requests the return of all or part of a donation (whether due to a change in the donor's circumstances or otherwise), the University must comply with its legal obligations under charity law. Once the University has accepted a donation, it must only return it:

9.1.1 if the terms and conditions of the donation provide for it to be returned in particular circumstances and those circumstances apply; or

9.1.2 where the law specifically provides for the donation to be returned in particular circumstances.

9.2 In any circumstances where the return of a donation is proposed, legal advice must be obtained.

10 Application of donations

10.1 The University will comply with its legal and regulatory obligations which apply to donations made for restricted purposes. Legal advice must be obtained if there is any doubt over whether funds were donated or raised for restricted purposes.

10.2 In the event of a significant change to a project or activity for which a donation has been received, which could prevent the University from applying the donation or any part of it for any restricted purpose relating to the donation, legal advice must be obtained at the earliest possible stage and before any discussions with the donor. It should not be assumed that the University can amend the purposes by agreement with the donor; its ability to do so will depend

on how any proposed new purposes differ from the original purposes and the terms of the Donation Agreement with the donor.

10.3 All donations of permanent or expendable endowment will, unless other arrangements have been agreed with the donor, be invested and managed as part of Northumbria University's Treasury Management and Ethical Investment Policy.

11. Donation Agreements

11.1 The University Advancement Office must ensure that the appropriate documentation is completed for every donation and that Donation Agreements are produced for all donations over £5,000. The specific documentation required is a matter for the Advancement Office, depending on the value of the donation / funding and any other relevant factors.

11.2 All staff must use the set of template documents for Donation Agreements held by the Advancement Office and must start with the template for each new agreement. Staff must not adapt documents used for other donations even if the terms of the donation appear to be similar.

11.3 Legal advice must be obtained in relation to all Donation Agreements, or where naming rights are given in relation to buildings, facilities, centres, or institutes, or where staff are in any uncertainty about the legal implications of any terms agreed with the donor which cannot be resolved within the University Advancement Office.

12 Donor engagement

12.1 All agreements with donors will confirm that the management and governance of projects, activities and programmes funded through donations rest solely with the University.

12.2 The University may choose, without undermining the above principle, to offer donors the opportunity for continuing engagement with the projects, programmes, or activities they have funded.

12.3 The University will employ its standard procedures relating to recruitment, admissions, hiring, promotion, procurement, management and governance for all research, teaching, outreach, capital development, and student scholarship programmes funded by donations.

13 Naming and recognition

13.1 The University recognises the importance and potential value of naming opportunities for its buildings, facilities, centres and institutes, and other areas of work and activities, including academic posts and scholarship and prize funds.

13.2 The principal motivation for considering a naming opportunity is that the University wishes to recognise an exceptional or significant contribution to the University by an individual, group or organisation. This contribution may be through exceptional leadership, outstanding academic contribution, or excellence in a particular field.

13.3 The University also recognises philanthropic support through naming opportunities. The University's Naming Policy outlines the process of nomination, consideration, consultation and approval for naming opportunities which must be adhered to across the University.

14 Freedom of Information Act 2000

14.1 The Freedom of Information Act 2000 gives a general right of access, subject to certain exemptions, to all types of recorded information held by public authorities, which for the purposes of the Act includes universities. The aim of the Act is to promote greater openness and transparency in how public authorities operate and in their use of public funding.

14.2 The University has regard to the Section 40 Exemption relating to personal data and the Section 43 Exemption related to commercial interests.

15 Complaints Policy

15.1 Northumbria University has a complaints policy which is available on the University's [website](#).

Appendices

Appendix 1 - the University's policy and procedures for carrying out due diligence in relation to donors ('Due Diligence Policy')

1 Introduction

1.1 The purpose of this policy is to set a clear and consistent framework under which the University will carry out due diligence in relation to prospective philanthropic donors to the University. It aims to balance the University's need to manage any reputational risks associated with accepting donations against the rights of donors and the need for checks to be proportionate and appropriate.

1.2 This policy forms part of the University's Acceptance and Refusal of Donations Policy and must be read in conjunction with that document.

2 Key Principles

2.1 The University Advancement Office will avoid, as far as reasonably practicable, cultivating relationships with individuals and organisations who might contravene the Core Principles described in Part I of the Acceptance and Refusal of Donations Policy.

2.2 Due diligence carried out in accordance with this policy will follow a risk-based approach. The significant majority of the University's prospects and donors are either i) alumni or friends (where the University makes the first approach and the relationship develops over a period of time), ii) registered charities or iii) public companies listed on recognised and well-regulated markets. The aim of this policy is to identify risks at an early stage and to focus detailed due diligence work accordingly.

2.3 Due diligence must be carried out in accordance with this policy when a donation meets the criteria set out in the following due diligence triggers:

Donation Amount or Donation in Kind Value	Level of Due Diligence
Less than £5,000	None
£5,000 to £25,000	Standard Due Diligence Check
£25,000+	Enhanced Due Diligence Check

2.4 For the purposes of the Standard Due Diligence Check, a "donation of £5,000 to £25,000" means a single donation of £5,000 to £25,000 (whether paid in a lump sum or by instalments).

2.5 For the purposes of an Enhanced Due Diligence Check, a "donation of £25,000+" means:

2.5.1 a single donation of £25,000 or more (whether paid in a lump sum or by instalments); or

2.5.2 a donation which, when added to other donations made in the last 5 years by the donor, is equal to or exceeds £25,000

2.6 In addition to the triggers above, due diligence must be carried out in relation to any donation, regardless of value, which in the opinion of the Head of University Advancement would contravene the University's Policy Statement and Guidelines, could give rise to significant public interest or potential controversy, or which raises complex questions regarding acceptability. This may include, but is not limited to:

2.6.1 donors or potential donors based or operating in jurisdictions where regulation is weak and/or the prevalence of corrupt or other practices that are unacceptable to the University is high.

2.6.2 donors or potential donors connected to industry sectors where the sector (as opposed to the donor) increases the likelihood of conflict or potential controversy.

2.6.3 unsolicited approaches from previously unknown donors or prospects, particularly where there is no clear connection to the University or the proposed area of support.

2.6.4 donors or potential donors where enhanced risk factors and/or other concerns emerge from the preliminary screening.

2.7 When considering donations from a foundation or other charitable entity, the University will take reasonable steps to ensure that funding sources for that charity are consistent with this Acceptance and Refusal of Donations Policy. Where charities send audited accounts to, and have full and current approved status with, a recognised national regulatory body for charities, further due diligence on the sources of funding of those charities will not typically be undertaken, unless there is reason to believe that reputational risk may be involved. Those reasons may include, for example, any current or recent investigation into the activities of the Charity by the relevant regulatory body. At the time of approval of this policy, such recognised regulatory bodies included:

- The Charity Commission for England and Wales
- The Office of the Scottish Charity Regulator
- The Charity Commission for Northern Ireland
- Entities considered an 'exempt' charity by HMRC
- The Inland Revenue Service in the US through its 501 (C) 3 regulations for tax-exempt non-profit corporations or associations
- The Canada Revenue Agency

2.8 Where required, the due diligence process must be carried out before a Donation Agreement is entered into with the donor.

2.9 This policy applies to planned giving and legacy donations as well as to lifetime giving.

2.10 The Advancement Office is responsible for requesting due diligence reviews under this policy, including a check of aggregate donations to ensure the appropriate level of due diligence work is performed.

2.11 Where a prospective donation is likely to give rise to significant public interest or raise complex questions regarding acceptability, staff must at the earliest possible stage refer the matter to the Head of University Advancement for consideration.

2.12 If a payment of a donation is being made by a third party on the donor's behalf, due diligence must also be carried out in relation to that third party.

2.13 The due diligence process in relation to in-kind donations is the same as that used for monetary donations.

2.14 The legal and reputational rights of prospects and donors should also be considered as part of any due diligence undertaken in assessing the acceptability of a proposed donation. In this regard a clear distinction should be drawn between rumour or speculation and matters of confirmed fact or legal finding, whilst also accepting the reputational risks that could be incurred through public perception of any prospect or donor.

3 Cultivation of donor relationships

3.1 The University Advancement Office will avoid, as far as reasonably practicable, cultivating relationships with prospects (individuals or organisations) that do not meet the requirements of the Core Principles.

3.2 To achieve this, the University Advancement Office will perform Standard Due Diligence Checks in relation to all prospects it is believed may donate £5,000+ at the initial stage(s) of the relationship with them.

3.3 For the purposes of this policy a "Standard Due Diligence Check" includes routine background research and a check against RiskScreen (or equivalent source) for high risk factors such as sanctions, politically exposed persons, and enforcement actions.

3.4 At the stage of cultivation where the prospect or donor has indicated a clear intention to donate £25,000+, an Enhanced Due Diligence Check, incorporating the Standard Due Diligence Check, alongside a full financial, tax, legal and accounting review carried out with the support of the Legal Office and Finance Office, will be instigated.

4 Due diligence on prospects

4.1 Where a prospect (or donor) has indicated a clear intention to donate that triggers due diligence as outlined above and the University Advancement Office has not previously carried out due diligence as part of cultivating a relationship with them, the due diligence process will be instigated as soon as possible after the University learns of their intention.

5 Timescale of Due Diligence Processes

5.1 As quick decisions often need to be made in relation to the acceptance of donations, the Advancement Office should endeavour to ensure that Standard Due Diligence Checks are completed within three working days and Enhanced Due Diligence Checks are completed within three weeks.

6 Due diligence process

6.1 The University Advancement Office will undertake due diligence research on prospects and donors to:

6.1.1 verify the identity of the prospect or donor

6.1.2 identify the source of funds from which the donation derives

6.1.3 identify any reputational risks for the University in connection with accepting the donation, having regard to the Core Principles.

6.2 The alumni database is a primary source of identity verification for alumni and a record of historical interactions between prospects/donors and the University. Due diligence research is carried out against a comprehensive set of publicly available sources. A non-exhaustive list is set out below:

6.2.1 Companies House, 192.com, Who's Who, Charity Commission, Ancestry, Zoopla, London Gazette, Insolvency Register, Financial Services Register. In addition, Corporate Social Responsibility policies are reviewed (where available), as well as coverage within the world press via Nexis® News and People, a business intelligence database, and advanced internet searches.

6.3 In exceptional circumstances, the Head of University Advancement may instruct third parties to carry out due diligence in relation to a prospect or donor on the University's behalf.

6.4 Standard Due Diligence Checks are conducted by the Prospect Research Coordinator (or a delegated individual in his/her absence) and approved by the Head of University Advancement. Enhanced Due Diligence Checks are conducted by the Legal and Finance teams.

6.5 Each Standard Due Diligence report is completed by the University Advancement Office for consideration by the Fundraising Manager and, if deemed necessary, the Head of University Advancement and other appropriate decision-makers. Each Enhanced Due Diligence Report is completed by the University Legal and Finance Offices and agreed with the Advancement Office for consideration by the Director of Strategic Planning and, if deemed necessary, the Vice-Chancellor and other appropriate decision-makers.

6.6 Where no issues are identified, Standard and Enhanced Due Diligence reviews will be noted at a meeting of the Advancement Management Team as 'Due Diligence: No Sensitivities.'

6.7 Where issues are identified through due diligence, these will be noted at a meeting between the Head of Advancement and Director of Strategic Planning, under the heading 'Due Diligence: Sensitivities' (and treated as Commercial in Confidence).

6.8 The delegated authorities and approval process for prospective donations, including those where issues are identified during the due diligence process, are as set out in Section 6 of the Acceptance and Refusal of Donations Policy.

6.9 Following the referral of prospective donations, under the heading 'Due Diligence: Sensitivities' (and treated as Commercial in Confidence), the appropriate decision-maker(s) may:

6.9.1 decide that discussions with the prospect/donor should be suspended pending further investigation; or

6.9.2 decide either to accept or refuse the donation.

6.10 Following any decision to refuse a donation, the records obtained from public domain sources relating to the prospect or donor will not be retained on file by the University.

7 Amendments

7.1 This policy, and the procedures set out in it, may be amended only with the approval of the University Executive.

Appendix 2 Definition of Philanthropic Funds

1 Introduction

1.1 Philanthropic funds can support buildings and land, staff appointments, equipment and other assets, scholarships and bursaries, endowment of lectures and other academic activities and, in some limited circumstances, funding of research programmes if none of the below exclusion criteria apply. A range of items, other than money, may be offered to the University as philanthropic donations including property, books, art/artefacts, stocks and shares and securities.

1.2 The definition of 'philanthropic funds' which qualify as eligible for the purposes of the CASE-Ross survey has been developed over several years in line with best practice across the sector. The survey does not just seek to record philanthropic funds received by an active Development Office, but philanthropic funds received throughout the institution.

1.3 Donations or donations can only be counted within the survey as philanthropic funds if they meet both of the following criteria:

- The source of the funds is eligible; and
- The nature of the donation meets the survey's definition of philanthropic intent.

2 Eligibility of Sources of Philanthropic Funds

2.1 Eligible sources of philanthropic funds are as follows:

- 2.1.1 Donations from personal donors, in the UK and overseas, of cash and other instruments of wealth, including shares, appreciated securities, bonds etc.
- 2.1.2 Donations-in-kind of physical items - property, art, equipment etc.
- 2.1.3 Actual legacy income received in-year from deceased individuals (Legacy pledges from living donors are excluded from any part of the survey).
- 2.1.4 Donations from charitable trusts and foundations in the UK and overseas. This includes donations from independent charities associated with NHS Trusts (but not direct from NHS Trusts).
- 2.1.5 Grants made by affiliated support foundations such as North American 501(c) (3) organisations and similar organisations in other countries.
- 2.1.6 Donations from companies in the UK and overseas.
- 2.1.7 Donations from overseas governments or their agencies and foundations.
- 2.1.8 Income from the National Lottery and similar sources (e.g., Heritage Lottery Fund, Sport England etc.).
- 2.1.9 Funding through the Land Fill Scheme.
- 2.1.10 Funding from other organisations, which may include registered charities, community groups, etc.

2.2 Ineligible sources of philanthropic funds are as follows:

- 2.2.1 All funding from HM Government and its agencies, including the Office for Students and the research councils.
- 2.2.2 Funding from NHS Trusts.
- 2.2.3 All funding from the EU or its agencies.
- 2.2.4 All funding from the government (and its agencies) of the country where the institution's primary base of operations is located. Government funds received as part of a matched-funding scheme are also not philanthropic: <https://www.gov.uk/government/organisations>.
- 2.2.5 Royalties and other funds generated by the exploitation of the University's intellectual property rights.
- 2.2.6 Internal transfers within the institution.

3 Definition of Philanthropic Intent

3.1 Giving to an institution with philanthropic intent is defined as all giving which does not confer full or partial ownership of a deliverable, financial benefit, or control to the funder in return for the funding. The donation must be owned in full by the receiving institution once it is received.

4 Exclusions from Philanthropic Intent

4.1 Philanthropic funds can support buildings and land, staff appointments, equipment and other assets, scholarships and bursaries, endowment of lectures and other academic activities, core funding of academic activities and, in some limited circumstances, funding of research programmes, if none of the below exclusion criteria apply. A range of items, other than money, may be offered to the University as philanthropic donations including property, books, art/artefacts, stocks and shares and securities.

4.2 If any one of the following seven exclusion criteria apply, the whole of the funding associated with an agreement becomes ineligible for the CASE-Ross survey as it is not philanthropic income.

1	Contractual Relationship	A contract exists between the two parties which commits the recipient institution to provide an economic benefit for compensation, where the agreement is binding and creates a quid pro quo relationship between the recipient institution and the funder. Contract income, including income for clinical trials, is ineligible.
2	Exclusive Information	The funder is entitled to receive exclusive information, or other privileged access to data or results emerging from the programme of activity.
3	Exclusive Publication	The funder is entitled to exclusive rights to publication of research or other results through their own branded communication channels (website, report, etc).
4	Consultancy Included	Consultancy for the funder or a linked organisation is included as part of the agreement.
5	IP rights	The agreement assigns to the funder any full or partial rights to intellectual property which may result from the programme of activity. This exclusion extends to the provision of royalty-free licenses (whether exclusive or non-exclusive) to the funder and to granting the funder first option or similar exclusive rights to purchase the rights to any subsequent commercial opportunities. If the written agreement includes any actual or potential future benefit of this kind, it must be excluded.
6	Other Forms of Financial Benefit	Any other direct financial benefits are required by the funder as a condition of the funding (e.g., discounted courses, training etc.).

7	Funder Control	The funder retains control over operational decisions relating to the use of funds once the donation has been made. This includes control over appointment and selection procedures to academic posts and student scholarships. This clause has nothing to do with a donor's right to know that a donation will be used for a designated purpose, where applicable, which is entirely consistent with a philanthropic donation.
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4.3 This list is not comprehensive. There may also be other circumstances where service provision with a commercial value means that funding cannot be regarded as having philanthropic intent.

Appendix 3 The duties of the Board of Governors of the University, and their delegates when making decisions in accordance with this policy

1 Responsibility for accepting and refusing donations

1.1 Ultimate responsibility for all decisions in relation to the acceptance and refusal of donations rests with the Board of Governors. This is the case even where decision making has been delegated to individual Governors, University staff or volunteers.

2 Legal Framework

2.1 As a charity, the University is obliged to accept a donation unless it is legally entitled to refuse it. The only legal basis on which the University can refuse a donation is that:

2.1.1 it would be unlawful to accept it (e.g., the University knows that the donation comprises the proceeds of crime); or

2.1.2 accepting the donation would be detrimental to the achievement of the University's charitable educational purposes e.g., because it would be damaging to its reputation. Such detrimental or anticipated detriment must be set against the benefit of having the funds from the donor, which enable the University to pursue its purposes.

2.2 While the University's values and ethics are important considerations for decision-makers in reaching a decision in relation to the acceptance or refusal of a donation, they should not be decisive factors. For the University to be able to refuse a donation, it needs to be able to demonstrate that acceptance of the donation would be detrimental to the achievement of its purposes (e.g., because it would have a negative impact on the University's ability to attract donations and funding from other sources or its ability to recruit and retain staff).

3 Policy statement and guidelines

3.1 In setting the University's Acceptance and Refusal of Donations Policy, the Board of Governors has agreed a Policy Statement (which considers the legal framework above) and formulated a set of guidelines indicating where donations which would contravene that Policy Statement should be refused. This is on the basis that such donations are likely to cause damage to the University and its interests. However, each donation must be considered on a case-by-case basis.

4 Decision-makers' duties

4.1 The Board of Governors and their delegates must take all decisions relating to the acceptance or refusal of donations in the best interests of the University.

4.2 Because they must act in the interests of the University in pursuing its charitable educational purposes, decision-makers must, when deciding whether to refuse a donation, do so only if to accept it would be more detrimental to the University than rejecting it. This should involve a careful analysis of the extent to which the University is likely to be harmed by accepting a donation and balancing that against the benefit to be obtained by accepting it.

4.3 The Board of Governors and their delegates must decide these matters on a case-by-case basis and the University's Acceptance and Refusal of Donations policy is there to guide them in their decision making.

5 Decision-making

5.1 As part of their decision-making, decision-makers must take account of all relevant factors and disregard irrelevant factors. In this context, irrelevant factors are likely to include political or ethical issues, which are not directly related to the interests of the University. Decision-makers must not allow these interests or views to affect their judgment.

5.2 The University does not need to establish an overwhelming case for refusing a donation; decision-makers merely must act reasonably in deciding whether the University's interests would be served best by accepting or refusing the donation. If they take account of relevant factors, disregard irrelevant ones and take a decision that a reasonable body of trustees could have taken then they will have complied with their duties.

5.3 It is essential that clear records are kept of all decision-making processes which detail the factors which contributed to the decision.

Appendix 4 Non-financial giving

1 General Principles

1.1 The regulations, approval thresholds, provenance processes and due diligence processes outlined within this policy apply to the donation of non-financial donations as well as financial donations. As well as permanently donating Donations, philanthropists may occasionally donate items to the University for a specified time (e.g., under a Loan Agreement). In such cases, the procedures outlined in this policy remain valid and should be applied. Additional procedures to be adhered to for non-financial donations are detailed below.

2 Artwork or Artefacts

2.1 Donations of individual pieces of artwork/artefacts must only be accepted after referral to and agreement with the appropriate Faculty or Service senior representative. All items are subject to the completion of the University's Art Provenance Questionnaire and subsequent review by Legal and Finance before a Donation Agreement is completed. In addition:

- 2.1.1 An independent valuation and assessment of the condition of any piece of artwork must be undertaken before the donation is accepted.
- 2.1.2 The University insurers and Security must be informed of the work of art and its value prior to its acceptance.
- 2.1.3 Exterior artwork items require the written agreement of the University Executive and Campus Services.
- 2.1.4 The artwork must support the University strategy (e.g., education, research, reputation), have an acceptable level of provenance obtained, be architecturally or artistically significant, be compatible with the approved Estates Strategy as to scale, size and location and have an identified and acceptable estimate for maintenance.

3 Property

3.1 Donations of land or buildings need to fit into the University's long-term Estates Strategy and any future maintenance, refurbishment or additional costs need to be carefully considered before acceptance. The legal costs of any transfer must remain the responsibility of the donor.

4 Stocks, Shares and Securities

4.1 The Finance and Legal teams will seek advice from the University's Investment Managers for advice on whether the stocks, shares and/or securities should be added to the

University's portfolio or sold to realise the current market value of the assets before the University takes receipt. The Advancement Office will liaise with the donor about this decision, to ensure that the assets are used in a way that is appropriate to the University Strategy, whilst also reflecting the donor's wishes.

4.2 Any legal or other professional expenses relating to the transfer of these assets remain the responsibility of the donor and, in the case of liquidated assets, such expenses will often be deducted from the liquidated assets prior to transfer.

5 Books

5.1 Due to space, storage conditions and cataloguing issues, along with the move to digital learning resources, the University usually has a non-acceptance policy for books.

5.2 In the exceptional circumstance that the book is rare, or collectable, the appropriate Faculty or Service senior representative will be contacted to advise on whether the item should be accepted. If a decision is taken to accept the book, a Donation Agreement, with an approximate value, will be completed.

5.3 The University reserves the right to use, lend, exhibit, donate, sell, or dispose of the book(s).

6 Other Donations

6.1 The acceptance of other types of Donations offered to the University will be considered on an individual basis.

Appendix 5 Details of standard payment processes

1 University website including Stripe and CAF

1.1 The University's Fundraising Platform Hubbub facilitates the collection of online payments for fundraising activity. Once a donation has been made, it constitutes a mandate for the University (or a third party authorised by the University i.e., Stripe) to deduct the Donated funds from the donor's nominated account. All funds donated through the Hubbub platform are collected from donors via Stripe. Stripe acts as a processing partner for single one-off donations only. Regular giving payments, i.e., direct debits, are processed by the Charities Aid Foundation (CAF).

2 JustGiving

2.1 JustGiving is used for special appeal fundraising by the Advancement Team and in certain cases for fundraising by students and staff. Students and staff are required to complete a form detailing how and why they wish to use the University JustGiving page.

2.2 Donations made via JustGiving are processed externally by JustGiving and transferred to the University account by BACS. Once received, a Sales Order is raised and the funds are transferred. Donations are usually recorded on Raiser's Edge by the Gift Administrator, however, in some instances, for instance, campaigns organised by Faculties, it may be necessary for donor information to be excluded where details relate to family members.

3 PDQ payments managed over the telephone

3.1 During a telethon, single donations are taken using a PDQ machine. Card payments are not processed on the telephone by the Advancement Team at any other time. When an individual states that they wish to make a one-off card payment during the call the following process must be followed:

- 3.1.1 The caller transfers the donor to the Call Room Supervisor to input card details into the card machine. Card details are not written down or repeated aloud at any point.
- 3.1.2 At the close of each shift, the PDQ machine and merchant report are stored securely before being returned to the Credit Control Team for accounting purposes.
- 3.1.3 Donations are recorded on Raiser's Edge by the Gift Administrator and donors thanked by the Participation Giving Coordinator as part of the telethon process.
- 3.1.4 A Sales Order is raised, and the Finance Office is notified so that the funds can be matched accordingly.

4 PDQ in person

4.1 Donations may be taken using a PDQ with the donor present, for example at a fundraising event. Staff operating PDQs at events must follow the University's guidance.

4.2 Post event, the PDQ machines and merchant report must be returned promptly to the Credit Control Team for accounting purposes. The Gift Administrator records the Donations on Raiser's Edge and a Sales Order will be raised on SAP so that the funds can be matched.

5 Direct mail

5.1 Donations obtained during direct mail activity are made by cheque or via the University fundraising platform Hubbub.

6 Cash

6.1 The University discourages cash donations, but where the donor insists this payment method must be accommodated.

6.2 Cash donations should be banked on the day of receipt, or if the donation has been given outside of business hours, the cash must be stored securely on campus and deposited at the earliest opportunity.

6.3 Amounts up to £3,000 can be carried by one able bodied person. Over £3,000 must be carried by two able bodied people and £10,000 or more must have a security carrier.

6.4 The following process must be adhered to when processing cash donations:

6.4.1 Proof of deposit is obtained for cash deposited at a branch of Barclays Bank by a member of the Advancement Team.

6.4.2 A Sales Order is raised on SAP.

6.4.3 The Finance Office is notified of the donation for accounting purposes and provided with the Sales Order number.

6.4.4 Donation is recorded on Raiser's Edge by the Gift Administrator.

6.4.5 Donor is sent a letter of thanks confirming the donation amount, donation date and how the funds will be allocated.

7 Cheque

7.1 The University discourages the use of cheques. However, in instances where a donor insists on a cheque payment or if donations are solicited via a direct mail appeal this must be accommodated.

7.2 The following process must be adhered to when processing cheques:

7.2.1 The cheque is recorded on SAP by the Gift Administrator and a scanned copy is retained in the Advancement shared folder

7.2.2 The cheque is delivered to Credit Control for banking, with a covering document stating the Sales Order

7.2.3 The donation is recorded on Raiser's Edge

7.2.4 The donor is sent a letter of thanks confirming the donation amount, donation date and how the funds will be allocated.

7.3 All cheques are banked within 7 working days of receipt, excluding periods of University closure.