

LEGAL AND STATUTORY CONSIDERATIONS

8. University of Suffolk is an exempt charity under the Charities Act 2011, regulated by the Office for Students (OFS) and a company limited by guarantee. Registered in England and Wales, company number: 05078498. Registered Address: Waterfront Building, Neptune Quay, Ipswich, IP4 1QJ. As such, the University of Suffolk will at all times observe the requirements of charity law and other application regulation and legislation.

9. At the time of the latest review, this policy is consistent with the Code of Fundraising Practice issued by the Fundraising Regulator (UK) and its related good practice. Any fundraising activity, including communications to potential donors and solicitations on behalf of the University of Suffolk, will adhere to relevant charity law and best practice guidance including guidance as set out by the Fundraising Code of Practice and the Charity Commission for England and Wales.

10. At all times, Fundraisers acting on behalf of the University of Suffolk will be aware of the sensitivity of information gathered and held on individuals and organisations, ensuring information gathered is treated with the utmost respect and is compliant with data protection regulations, in line with:

- the University of Suffolk Data Protection and Data Security Policy; and
- the Alumni Relations and Development Privacy Notice.

11. The University of Suffolk will seek Gift Aid and tax deductions on gifts that are eligible.

DONOR RIGHTS

12. All fundraising solicitations by or on behalf of the University of Suffolk will disclose the institution's name and purpose for which the funds are requested. Printed solicitations (however transmitted) will also include the institution's address or other contact information.

13.

- The outcome of all complaints and investigations will be reported to the University of Suffolk Executive Committee at its next meeting to review any lessons that can be learnt from the complaint and to inform future fundraising activity.

21.

incurred of fundraising to the University of Suffolk Board, ahead of publication as part of the University's Annual Report.

ACCEPTANCE AND DISBURSEMENT OF FUNDS

Acceptance of Donations

28. The test of compliance with this Code must be undertaken prior to solicitation wherever possible, rather than at the point of acceptance.

29. The responsibility for the acceptance and refusal of gifts and bequests rests ultimately with the University of Suffolk Board. The University of Suffolk Board delegates decision making to the University of Suffolk Executive Committee in accordance with agreed delegated authority limits. The delegated authority limits for the acceptance of gifts is stated within the University's financial regulations and Delegation of Financial Authority Policy.

30. It is generally accepted that in most cases the interests of the University of Suffolk as a charity will be furthered by increasing the resources available to it. Donations will only be rejected in exceptional circumstances and if, having considered relevant factors and disregarded irrelevant ones, there is reasonable belief that such a decision would be in the best interest of the charity. The University of Suffolk Executive Committee will make the decision to refuse a donation after receiving appropriate due diligence reports.

31. The University of Suffolk will not accept a gift of any size which might:

- Compromise its independence or that of its partner institutions
- Impact negatively on teaching or research activity
- Limit the freedom of the institution to act within its objects
- Create unacceptable conflicts of interest
- Result in unmanageable reputation damage
- Result in financial loss or damage

32. The University of Suffolk will take all reasonable steps to ensure the ultimate source of a gift or bequest is legal and not derived directly or indirectly from illegal activity.

33. Any gift, for whatever amount, that may attract significant external interest will be notified to the University of Suffolk Executive Committee prior to its acceptance. The University of Suffolk Executive Committee will assess any risks associated with the source of funds and the purpose of the donation, and will decide how to proceed in consultation with the Development and Alumni

Relations team and the Directorate of Finance and Planning. At times it may be necessary to consult with the University of Suffolk Board

34. Projects and activities which may be sought will be identified and agreed by the University of Suffolk Executive Committee. These priorities will evolve over time and will be regularly reviewed and reapproved by the Executive Committee.

35. All University of Suffolk staff, contractors or volunteers who seek to raise funds for the University of Suffolk must do so in liaison with the Development and Alumni Relations team to ensure compliance with this Code. Efforts to secure donations by any University of Suffolk School, Centre or Directorate must be brought to the attention of the Development Office before activity commences.

Gift Agreements

36. The University of Suffolk, in liaison with the donor, will make every effort to clarify in writing the agreed purpose of all donations of £10,000 or over in advance of confirmation of gift acceptance by the University.

37. Depending on the size and nature of the gift and its intended purpose, the University of Suffolk may require a gift agreement for significant gifts to be completed by the donor in advance of confirmation of gift acceptance by the University.

38. The decision as to whether a gift agreement is required will be made by the University of Suffolk Executive Committee, in liaison with the Development Office and the Directorate of Finance and Planning. Any gift agreement will indicate the requirements for a gift to be compliant - tested against this policy.

39. Gift agreements will be required for all donations of £10,000 or over from new donors.

40. The University of Suffolk Director of Finance and Planning is responsible for reporting a new gift agreement to the University of Suffolk Executive Committee.

Types of Donation and Payment Methods

41. Types of gifts that may be accepted include:

- Cash or equivalent
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- Property or land
- Legacies or bequests

42. Payments can be made by debit or credit card via the University of Suffolk website, over the phone or by completing our official donation form. Cheques are accepted and should be made payable to University of Suffolk Ltd. Individual cash donations of over £250 will not be accepted.

Disbursement of Donations

43. All donations will be handled responsibly and in accordance with the law, and will be used to support the vision and objectives of the University of Suffolk.

44.

49. Due diligence is the range of practical steps that the University of Suffolk takes to be reasonably assured of the provenance of funds donated, is confident that it knows the people and organisations that it works from a fundraising perspective and that any associated risks are identified and managed.

50. Working to guidelines produced by the Charity Commission for England and Wales, the

55. It is the responsibility of the Development and Alumni Relations Team, in conjunction with the Directorate of Finance and Planning, to undertake due diligence checks. Appendix 1 provides a proforma checklist for this purpose.

Small and regular donations

56. In accordance with the guidance from the Charity Commission, University of Suffolk is not expected to know the identity or take steps to find out the identity of each small cash donor. It is not considered reasonable to check the provenance of small, one-off donations or donations made at events. The University of Suffolk will not routinely apply the due diligence checks above to donations below £10,000, but is likely to consider making limited checks for donations by new donors between £5000 - £10,000.

57. For any small regular donations that the University of Suffolk receives via Direct Debit, the University of Suffolk automatically records the name, address and bank details of the donor, along with any associated Gift Aid declaration. The University of Suffolk is unlikely to make any further additional checks against these payments, unless there is some reason for suspicion.

Legacies and Wills

58. For any funds due to be received via gifts in Wills, the University of Suffolk will routinely request to receive a copy of the Will in advance of accepting the funds to allow the University of Suffolk to make any background due diligence checks if required.

Acceptance and administration of legacy shares

59. Shares received via a legacy form part of the overall value of a legator's gift in their Will; they are therefore viewed in the context of their presumed intended use as monetary donations rather than as investment opportunities. As such, all shares donated as part of a legator's gift in their Will will be encashed immediately at the time of probate as part of the process of the administration of the Estate, rather than to take in specie. This protects the University, as well as the presumed intentions of the deceased, from any stock market volatility and therefore financial risk.

Management of legacy 'express wishes'.

60. Express wishes' that form part of a legacy donation are not legally binding under the terms of an individual's Will. Nonetheless, the University such donations will be designated per the wishes of the donor wherever possible and for a minimum term of five years. As a charity that values the wishes of its

in exceptional circumstances and will require authorisation from the University of Suffolk's Executive Committee.

Appendix 1

University of Suffolk Donation Due Diligence Proforma

The due diligence procedural questions below will be routinely applied to gifts made by new donors of more than £10,000. The answers to these questions will be used to make the decision of accepting or refusing a donation.

Potential Donor:

Potential Donation Amount:

Date:

Due Diligence Completed by:

Submitted to:

General information

- Who is the donor or donors?
- What is already known about them?
- Do we already have a relationship with them?
- Do additional identity checks need to be made? If yes, full use should be made of web searches checking news stories, legal cases, if an organisation is registered with regulators, authorities, company accounts or governing documentation. It may also be useful to search social media.
- Are the donors UK tax payers and has a Gift Aid declaration been completed?
- In what form is the money being received?
- Have any public concerns been raised about the donor or their activities? If so, what was the nature of the concerns and how long ago were they raised? Was it a legal matter? Did the police or a regulator investigate the matter? What was the outcome?
- Is there any adverse publicity about the donor? If yes, will this cause reputational concern for University of Suffolk?

The nature of the donation and any conditions

- How big is the donation?
- Is it a single donation or one of a number of regular donations, or the first of multiple future donations?
- Is it an unusual or substantial one-off donation?
- Are there conditions attached to the potential donation? What are they? Are they reasonable?

