

Solicitation & Acceptance of Gifts Policy

Document Control:

Policy Owner:	Director of Development & Alumni Engagement
Policy Author(s):	Secretary to the Fundraising Ethics Committee
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Amendment History:

Version Number:	Effective Date:	Summary of Amendments:	Author:
V1.0	11/07/18 – 11/10/23	Policy established and reviewed on annual basis with minor amendments.	Secretary to the Fundraising Ethics Committee
V2.0	09/10/24	Reviewed in line with recommendations from Council on ethical assurance and placed in new template.	Secretary to the Fundraising Ethics Committee, Deputy Director of Development & Alumni Engagement
V3.0	25/10/24	Updated following discussions between FEC members	Secretary to the Fundraising Ethics Committee, Deputy Director of Development & Alumni Engagement
V4.0	26/11/24	Updated following discussions at Council (meeting on 20/11/24) and FEC (meeting on 26/11/24)	Secretary to the Fundraising Ethics Committee
V5.0	12/2/25	Updated for Council	Secretary to the Fundraising Ethics Committee, approved by Council on 12/2/25

1. Purpose and Scope

- 1.1 The University of Warwick solicits and accepts gifts from a wide variety of sources to support delivery of the 'Excellence with Purpose' Strategy. This policy sets out the University's approach to the solicitation and acceptance of gifts.
- 1.2 In this context 'gifts' refers to philanthropic donations to the University. These are managed by the Development & Alumni Engagement Office under the oversight of the Fundraising Ethics Committee. A detailed definition of what constitutes a gift is provided in Financial Procedure 9 – (Philanthropic Gifts), which should be referred to in conjunction with this policy. The naming of University buildings, often linked to philanthropy, falls under the Building Naming Policy and the Donor Naming and Recognition Policy.
- 1.3 The University is regulated by the Office for Students and is an exempt charitable body. As such the University must manage gifts in compliance with charity law and Charity Commission guidance. It has a duty not to decline opportunities or funding which will help to achieve its charitable objectives without good reasons for doing so. However, the public naturally expect charities to operate in a responsible manner and it is recognised that if the trust people have in the University is not upheld, this could negatively impact their trust in the institution, its work, and public support for what it does.

- 1.4 The ethical principles which must be followed when determining whether to accept a gift are detailed in section 3.
- 1.5 To further uphold its ethical responsibilities, the University is registered with the Fundraising Regulator and follows the UK Code of Fundraising Practice. It also complies with other relevant legislation in the management of philanthropic funds, including the Proceeds of Crime Act 2002 and the Money Laundering Regulations 2017.

2. Responsibilities

2.1 Fundraising Ethics Committee

The Fundraising Ethics Committee (FEC) is a sub-committee of the University Council. Its purpose is to ensure ethical rigor and make decisions on the solicitation and acceptance of gifts in accordance with this policy and consider fundraising ethics topics as referred to it by the Director of Development & Alumni Engagement.

Membership of the FEC is drawn from subject matter experts in ethics, including from the multi-faith Chaplaincy and academic departments. There is also representation from the Students' Union. It is chaired by an independent member of Council.

The FEC is also responsible for approving amendments to the Solicitation & Acceptance of Gifts Policy.

2.2 Development & Alumni Engagement Office

The Development & Alumni Engagement office, led by the Director, has day to day responsibility for implementing this policy and managing any decisions of the FEC in dealings with donors and potential donors.

Due diligence will be conducted on all gifts **above £1,000**. The Director of Development & Alumni Engagement will refer potential gifts to the FEC if there is reason to believe that there is a high risk that the ethical principles outlined in section 3 may be impinged upon, or in appropriate circumstances as determined by the due diligence process undertaken by the Development & Alumni Engagement Office.

In general, gifts **below £100,000** will not be referred to the Committee but remain subject to the same criteria of acceptance. In exceptional circumstances, the Director may consult with the Chair of the FEC about whether a gift **below £100,000** should be referred for the consideration of the full Committee. The Director is ultimately responsible for ensuring that appropriate due diligence has been undertaken on relevant gifts.

In cases where donor recruitment on behalf of the Development & Alumni Engagement office is contracted to third parties, the Director will ensure that this policy is incorporated into the terms of the contract.

The Deputy Director of the Development & Alumni Engagement Office and the Secretary to FEC are responsible for reviewing this policy at least every three years and ensuring that it aligns with internal and external requirements. They are also responsible for maintaining the prescribed due diligence process, and ensuring it aligns with the principles outlined in this policy.

2.3 Chair of Council

The Chair of Council will receive details of any instances where a gift has been refused, or where it is proposed to refuse a gift.

In cases requiring an urgent decision the Chair of the Fundraising Ethics Committee will have the authority to convene an extraordinary meeting of the Committee.

The FEC will report to the Chair of Council on any important decisions as it sees fit.

RACI MATRIX	
Responsible	Secretary to Fundraising Ethics Committee
Accountable	Director of Development & Alumni Engagement
Consult	Fundraising Ethics Committee > Council
Inform	Relevant internal stakeholders, donors and potential donors

3. Ethical Principles

3.1 This policy is designed to ensure that gifts are not solicited or accepted which are judged to be unethical or which put the reputation of the University at unacceptable risk. The following six broad areas have been identified where gifts should not be solicited or accepted:

- Involvement of illegally or unethically obtained funds
- Unacceptable conflict of interest, including companies or products that are counter to the values and culture of the University
- Attempts to make fully anonymous gifts
- Risk to institutional integrity or academic freedom
- Disproportionate risk to institutional reputation
- Doubt over the ability of the potential donor to make an informed decision

In all areas of doubt the FEC will consider all relevant facts and decide whether any particular donation or class of gifts can be accepted.

3.2 **The University will not solicit or accept gifts of money that we judge to be unethically or illegally obtained**

The University should not accept a gift if, by doing so, it would derive benefit from an organisation which, or individual who, is currently causing unnecessary harm¹ to human beings or harm disproportionate to the benefit which society derives from their activities. This harm may be direct or indirect². Three questions have to be answered in the affirmative for a gift to be considered for rejection as unethical:

- i. Is an activity causing harm?
- ii. Is this harm unnecessary or disproportionate to the benefit³ society derives from it?
- iii. Is the activity providing the source of funds from which the donation is derived?

The University should not associate itself with an organisation which, or an individual who has, acquired the funds being donated from the proceeds of illegal⁴ activity. Consideration should be given to current and past conduct in relation to acceptance of funds. In addition, consideration should be given to the broader conduct of an individual or organisation which is deemed contrary to accepted legal standards in the United Kingdom.

3.3 **The University will not solicit or accept gifts that present an unacceptable conflict of interest**

This would include gifts from organisations or generated from products that would be considered counter to the values and culture of the University. In particular, the University

¹ Harm can denote environmental, social, physical or psychological damage.

² Indirect harm involves damage that occurs as a result of actions that might not be immediately apparent.

³ As a charity, the University is governed by the Public Benefit Requirement which specifies that benefits must be evidence-based, not defined solely by personal views, and in service of the charity's purposes.

⁴ Illegal activities may apply to the UK or other national jurisdictions.

will not accept gifts from tobacco companies or companies that source the majority of their revenue from the manufacture or sale of arms or munitions. This list is not exhaustive and the FEC will be informed by the University's strategy when determining on this issue.

3.4 A truly anonymous donation, in which the organisations only deal with an intermediary who is not prepared to identify the donor, should not be accepted

The risks of accepting a gift with no idea of its provenance are too great. There is no defence against the charge of taking money from a tainted source if we were prepared to accept it in ignorance of the donor's identity.

A gift by a donor who wishes their name to remain anonymous to the world at large should be dealt with, as far as possible, in exactly the same way as other gifts being considered by the FEC.

If it is considered right to reject a gift for ethical or reputational reasons, the University is taking a principled stand that should not be influenced by anonymity removing these factors.

3.5 The University will not accept a gift if, by doing so, it would compromise the University's academic freedom

The University's core values related to Freedom of Speech and Academic Freedom are outlined in its policy on this subject. A gift shall not be accepted in the following circumstances:

- i. If there is a risk that a gift may lead to the uncritical promotion of a particular cause. This type of support is generally unacceptable, unless the University can absolutely satisfy itself that the activity funded is of genuine academic or clinical merit and will be genuinely independent.
- ii. If the terms of a gift may impinge on freedom to publish or freedom to appoint a privately funded post. All are clearly unacceptable. The point is sometimes made that accepting private support subconsciously predisposes a scholar or researcher to lost objectivity with respect to the source of the support. This assertion should have no currency in an academic community which is searching after truth.
- iii. Where a donor may hope to use the gift to influence preferential access to education or accommodation. Gifts should be rejected where it is believed that the potential donor has an expectation of influence over either of these topics. Donations will be accepted from students, patients and their families, subject to this policy.

3.6 The University will carefully consider whether, by accepting a gift, it would face a level of opprobrium from the University community and/or the wider public disproportionate to the advantages gained from it

Having taken a view that a gift is acceptable in its own right, it may be that the public standing of the University would be harmed amongst those who take a different view.

It is recommended that the decision on whether to accept a gift from a source that may lead to an adverse public reaction should be based on the answers to the following questions:

- i. Does the possible public opprobrium extend to more than just a small, special interest group?
- ii. How damaging and/or long lasting would the likely public reaction be? Due weight should be given to the professional opinion of the Development & Alumni Engagement and Communications teams.
- iii. What are the potential gains (financial and non-financial) from accepting the gift?

- iv. Are there differing views of the relative balance of advantage versus disadvantage?

In the case of disagreement then the FEC will have the final say.

3.7 **The University will not fundraise from any person considered not to have ability to make an informed decision about their donation**

The University will not attempt to solicit a gift, nor will it accept a gift, from any person where there is reason to believe that they are unable to fully comprehend (at that time) that they are making a gift or the consequences for themselves of making that gift. All those involved in soliciting gifts on behalf of the University must be trained to identify and avoid soliciting gifts where they know or have reasonable grounds for believing that the donor lacks ability to make a decision to donate.

4. **Associated Documents**

- ['Excellence with Purpose' Strategy](#)
- [Financial Procedure 9: Philanthropic Gifts to the University](#)
- [Building Naming Policy](#)
- [Donor Naming and Recognition Policy](#)
- [Office for Students – Conditions of Registration](#)
- [Charity Commission – Guidance for Trustees](#)
- [UK Code of Fundraising Practice](#)
- [Proceeds of Crime Act 2002](#)
- [Money Laundering Regulations 2017](#)
- [Freedom of Speech and Academic Freedom Policy](#)