



## **Trinity Hall - policies on the acceptance of gifts**

Throughout its history, philanthropic gifts have played a major part in creating and sustaining Trinity Hall as a vibrant and respected educational institution. This tradition continues and Trinity Hall welcomes philanthropic gifts in support of its objects and purposes as outlined in the College Statutes.

The acceptance of donations can occasionally give rise to legal, ethical and reputational issues and should be considered in the context of the values of the College. Financial and other gifts are sought and accepted according to the College's policies on ethical donations, gift acceptance and acknowledgement, and due diligence. These policies outline the values and legal issues according to which the College will or will not accept donations, the associated due diligence and decision-making process it will follow in taking such decisions, and subsequently the procedures it will observe in administering donations received.

These policies are reviewed regularly and refer to all donors, individuals, trusts and organisations and all types of donation. They reflect established best practice guidelines provided by both the Institute of Fundraising and the Council for the Advancement and Support of Education.

### **Ethical donations policy**

Trinity Hall receives and makes charitable donations. The College is governed by its statutes and public law and is regulated by the Charity Commission. Members of the Governing Body act as trustees of the charity and are committed to acting in the best interests of the Charity.

Charitable donations made by the College are done so in accordance with Statute 14.16 of the Trinity Hall Statutes and are awarded by the College's Charities Committee which is constituted for this purpose.

Any charitable donations received by the College must be for exclusively charitable purposes, not inconsistent with the College's Objects and Purposes and shall not improperly influence any decisions made by or on behalf of the College's Governing Body. Any donation in excess of £100,000 will be recognised by a gift agreement.

It will normally avoid engaging with, developing relationships with or accepting donations from individuals or organisations that do not demonstrate responsible employment, sustainability and corporate governance practices, or that have been shown to have acted in a way that may harm the College's reputation by association.

Trinity Hall will co-operate with the University's Development and Alumni Relations Office and adheres to Charity Commission best practice guidelines for the acceptance of donations to support the College's aims, interests and purposes: [www.gov.uk/government/organisations/charity-commission](http://www.gov.uk/government/organisations/charity-commission)

University ethical guidelines: [www.admin.cam.ac.uk/reporter/2001-02/weekly/5858/6.html](http://www.admin.cam.ac.uk/reporter/2001-02/weekly/5858/6.html)

## **Gift acceptance and acknowledgement policy**

Trinity Hall is very grateful for the philanthropic support it receives from its alumni, friends and charitable organisations. All donations are processed and recorded by the Alumni & Development Office. As Trustees of the College, Governing Body is ultimately responsible for the acceptance of donations, but delegates this responsibility to the Development Director on a day-to-day basis.

Trinity Hall accepts donations compatible with the purposes of the College as defined in its statutes, except in exceptional circumstances, which include the following:

- accepting it would be detrimental to the College's aims and objectives and if it would compromise our values of impartial research, scholarship and teaching.
- it would be unlawful to accept it
- it presents an unacceptable conflict of interest
- the donor is not identifiable and discussions are via an intermediary
- the cost, financial or otherwise, of accepting the donation would outweigh its benefit to the purposes of the College
- it can be demonstrated it may put the reputation of the College at unacceptable risk, which outweighs the benefits gained from the gift.

The College shall apply the Charity Commission Guidelines issued from time to time for the acceptance and/or refusal of donations as they may be amended by the specific terms of these policies.

The Governing Body may refuse a donation or remove or alter any name attached to the donation if the Donor commits any illegal act or omission, or becomes involved in any public controversy, including in relation to events pre-dating the donation, that in the opinion of the College might be reasonably expected to damage the reputation and/or good-standing of the College or of the University of Cambridge.

All gifts are received subject to the College's ethical donations and due diligence policies. The College reserves the right to refuse any gifts which contravene these policies or which might incur uneconomic costs or obligations upon the College.

All gifts to the College are acknowledged formally to the donor in a manner which allows both College and donor to be confident of the amount of the gift, the purpose of the gift, any specific wishes of the donor and giving a clear indication of how the College intends to use the gift. The Alumni & Development Office are committed to providing donors with timely and appropriate acknowledgement and recognition of their gift and will keep donors informed of the impact of their philanthropy.

Unless anonymity is requested, all donors are also acknowledged in the College's List of Donors, published annually. Amounts of donations are treated as confidential. It is College policy not to announce exact amounts of donations publicly or to share this information with organisations outside of collegiate Cambridge. Members of giving circles may be listed publicly unless the donor requests anonymity.

The Development Director will take all reasonable steps to ensure the Governing Body is aware of the source of funding for all donations received and will provide regular reports on income received to the Development Committee and Governing Body.

UK donors making their gifts under the Gift Aid Scheme also receive notification of the amount of gift aid to be reclaimed. Donors making a regular gift by Direct Debit receive written confirmation of their Direct Debit instruction and advance notification of the dates and amounts of payments, in accordance with the terms of the BACS Direct Debit guarantee. For overseas donors, tax receipts appropriate to the tax residency of the donor are provided on request. Formal acknowledgements are usually issued by post but may be sent by email where this is a more appropriate means of communication.

In general, a gift that comprises a pledge to give a total sum over a period of time is accepted and acknowledged at the time the pledge is made. Individual payments against the pledge are not normally acknowledged separately.

All gifts of £100,000 and over or other gifts supporting specific projects or with significant naming opportunities are subject to written gift agreement providing explicit confirmation of the particulars of the gift and its purpose. Gift Agreements are prepared by the Alumni & Development Office with agreement from the Master and Bursar. Gifts which benefit the College and University jointly will also receive a separate written agreement from the University.

Trinity Hall will not accept a gift where there is an expectation of personal advancement or influence. In particular, the College will not entertain any pressure to link a gift with any student or staff application to the College, degree results, or any act that constrains academic freedom.

Trinity Hall's selection criteria for student admissions are fully independent of philanthropic support of the College or for Cambridge University. In addition, any donation will not affect the academic record of any current or future students nor have a bearing on any dispute between a student and the College and/or Cambridge University about the outcome of their programme of study; nor will it have bearing on any other benefits of College life (e.g. travel grants, committee memberships or social benefits).

The College's selection criteria for the recruitment of its staff and any research agendas are also fully independent of philanthropic support of the institution. The policies, rules and regulations of the College, as laid out in the student handbook and staff handbook, shall continue to apply and are not affected by philanthropic support of the institution.

Where a Gift Agreement is to be entered into with the College under the terms of this policy, the Gift Agreement shall contain the wording set out in the three preceding paragraphs and the donor shall be asked to acknowledge that they accept the terms of these paragraphs.

In any discussions with potential legators for a legacy of £100,000 and over or other gifts as aforesaid the Alumni & Development Office shall also require the legator to acknowledge the wording in the said three paragraphs. This policy applies equally to financial gifts and gifts of property, goods and services. When receiving non-financial gifts, the College will assess whether acceptance of the gift might result in additional costs or obligations to the College and will ensure that both the College's and the donor's expectations around the gift are clearly understood, using a written gift agreement where appropriate.

It is the College's general practice to realise any non-monetary gifts (eg. stocks and shares) and to use the proceeds to create a trust fund, a specific endowment or a general or specific donation as appropriate. Occasionally a donor's specific direction will be that the original asset be retained, in these

cases the Development Office will consult with the Bursar for approval. Proposed gifts of property or shares in private companies need to be carefully considered, because they may not be easily realisable.

Careful consideration should be given before accepting gifts of works of arts or books as there can be hidden costs associated such as: (i) fine art insurance (ii) additional security (iii) conservation

Valuation of Gifts in Kind refers to the value placed on the property gift for gift crediting and property control purposes. It should be noted that the College's valuation might differ from what the donor claims as a tax deduction. It is the responsibility of the donor to be able to substantiate the gift value noted on his/her income tax form. Gifts of personal property that qualify as a charitable deduction for a donor will be valued and recorded at fair market value.

Fair market value may be determined by: (i) a written appraisal, or (ii) documentation obtained from a qualified outside source such as a knowledgeable dealer, or (iii) documentation obtained identifying what it would cost the College if it were to purchase the gift outright from a vendor or an original bill of sale for new equipment. Documentation that supports the donor's valuation should be submitted at the time the gift is received. Note that the College will not absorb appraisal costs. Appraisals should only be paid for if deemed necessary and appropriate for proper insurance and inventory. Please note that the College should never pay for an appraisal for a donor.

### **Due diligence policy**

Trinity Hall is aware of its obligation to protect the financial security and reputation of the College.

All gifts over a certain level, currently £100,000 cumulative giving, are routinely subject to a due diligence review designed to identify any risks to the College arising from gift acceptance. Typically the review will be undertaken internally but may be out-sourced. We use publicly available sources to carry out due diligence in line with our gift acceptance policy and to meet money laundering requirements. The conclusion of this review will be considered and documented by the College's Development Committee or by a sub Committee of the Master, Bursar and Development Director where time does not allow or where the donor wishes to remain anonymous to the wider College community.

Gifts below this £100,000 level will also be reviewed should the Development Director consider it advisable. All College fellows and staff should make the Development Director aware of any concerns over the nature of a gift or series of gifts.

These due diligence provisions apply to financial gifts, pledges, legacy pledges and gifts of property, goods and services, and also to gifts of a non-philanthropic nature, i.e. in sponsorship of the College's activities or its student led Clubs and Societies.

Where a gift is made jointly to the College and the University or where a gift makes the donor eligible for University recognition, the Development Director will consult with the University's Development and Alumni Relations department to coordinate and consult on due diligence activities, which may be undertaken by CBELA.

The following principles set out in the 2001 Ethical Guidelines published by the University of Cambridge will be taken into consideration when accepting a gift:

- (a) Are the purposes of the benefaction compatible with the purpose of the College of as a place for the advancement of education, religion, learning and research as defined in its Statutes?
- (b) Do the purposes of the benefaction fall within the College's policies and strategic plan?
- (c) What additional costs or burdens, if any, would acceptance of the benefaction create for the College?
- (d) Is there credible published evidence that the proposed benefaction arises in whole or in part from activity that:
  - violated international conventions that bear on human rights?
  - limited freedom of inquiry and expression?
  - suppressed or falsified academic research?

In the case of unproven allegations of criminality against a potential donor, no account shall be taken of mere rumour, but care will be exercised in accepting any benefaction, or continuing negotiations towards a possible benefaction, where there is a risk of significant damage to the College's reputation.

- (e) Is there evidence that the proposed benefaction, or any of its terms, will
  - require action that is illegal?
  - limit freedom of inquiry and expression?
  - suppress or falsify academic research?
  - create unacceptable conflicts of interest for the College?
- (f) Is there evidence that acceptance of the proposed benefaction or compliance with any of its terms will damage the College's reputation, including deterring other benefactors?

The College shall apply the following additional considerations in respect of donations from a prospective or current student, or a close family member of a prospective student, including but not limited to parents and legal guardians, siblings, grandparents and partners:

- (a) The College does not actively solicit donations from a prospective student or from any close family of a prospective student during the period in which a student application is live. During this time, any philanthropic conversations with new and existing donors who are prospective students or the immediate family of prospective students will be paused until after the application cycle has completed.
- (b) Notwithstanding the above, if a prospective student is a family member of an alumnus/alumna and that alumnus/alumna had previously been giving regular amounts to the College, it would be inappropriate to refuse to continue to accept those donations provided the College is satisfied that there can be no question of the donor trying to exert influence leading to improper practice.
- (c) The College may solicit and/or accept donations from close family members of current students, provided that all due diligence processes are followed and that the College is satisfied that there can be no question of the donor trying to exert influence leading to improper practice.
- (d) Once the Development Director has had confirmation that a close family member of an alumnus/a, or of a potential or current donor has applied to the College, then until such time as the admissions process for that individual has concluded, the Development Office may continue to send College publications, and engage with the alumnus/a or donor with regards to any previously established donation and/or activities at College in which they are currently involved.

(e) The Admissions Office will notify the Development Director if it becomes aware of, or suspects that, a close family member of an alumnus/a, or of a potential or current donor, has applied to the College.

(f) The Development Director shall never inform the Admissions or Tutorial Office of any name or any details of a donor or potential donor who is a close family member of a prospective student if they become aware there is a live student application process. This shall not prevent, however, the Development Director introducing an alumnus/a to the Admissions Office if they have questions about their child applying to Trinity Hall provided that no indication as to whether the alumnus/a is a donor or potential donor is given to the Admissions Office.

(g) In the event that a legacy is received from a legator who is a close family member of a prospective student the College shall be entitled to accept the legacy in the normal course of probate.

(h) In circumstances where a Gift Agreement for a donation(s) has been entered into by a donor before a prospective student has applied to the College then acceptance of the gift shall be delayed until after the application cycle has completed.

For gift acceptance purposes, a prospective student is defined as an individual who is in active engagement with the College in respect of admission to a particular programme of study, whether as an undergraduate or as a postgraduate but who has not yet received an offer from the College. A student who is in 'active engagement' or whose application is 'live' shall be defined as one who has submitted a written application but who has not yet either received or accepted and satisfied an offer from the College. A current student is defined as an individual who has accepted an offer from the College to study, and whose place has been confirmed and either taken up or who is taking a gap year, but who has not yet graduated.