



## Gifts and Fundraising Policy

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**Custodian:** Deputy Director, Advancement

**Contact:** foundation@canberra.edu.au

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**Status:** Published

In developing this policy the University had regard to the provisions of section 40B(1)(b) of the Human Rights Act 2004 (ACT).

### PURPOSE:

1. This policy:
  - 1.1. establishes the University's principles in regard to fundraising approvals, gift acceptance and gift management;
  - 1.2. describes the gift and fundraising function and the role of the Advancement Office to coordinate and administer philanthropic activities across the University; and
  - 1.3. prescribes the use of the UC Foundation name.

### SCOPE:

1. This Policy applies to all:
  - 1.1. UC staff, members of the UC Council and any other body or individual that is authorised by the University to solicit donations on its behalf; and
  - 1.2. gifts received by the University and philanthropic grants from Trusts, Foundations and other agencies
2. This policy does not cover:
  - 2.1. Investment of endowed funds, which is covered under the University's Investment Policy (*ratified by Council on 28 October 2016*).
  - 2.2. Recognition of donors and sponsors by naming, which is covered under the University's Naming Rights Policy (*ratified by Council on 12 August 2011*).

### PRINCIPLE:

1. **Gifts and fundraising function of the Advancement Office**

1.1. In its function to coordinate and administer philanthropic activities across the University of Canberra, the Advancement Office and its staff are responsible for:

- 1.1.1. Establishing best practice for philanthropic activities across the University of Canberra;
- 1.1.2. Soliciting donations through a comprehensive portfolio of philanthropic campaigns;
- 1.1.3. Approving all fundraising activities that solicit gifts for the University of Canberra;
- 1.1.4. Maintaining personal information on alumni, donors and friends of UC through use of a secure database in accordance with [Information Privacy Act 2014 \(ACT\)](#); [Territory Privacy Principles \(TPP's\)](#); and UC's [Privacy Policy](#);
- 1.1.5. Coordinating negotiation and acceptance of donations;
- 1.1.6. Processing, receipting, administering and reconciling all philanthropic gifts to the University of Canberra with the assistance of the University finance team;
- 1.1.7. Creating and maintaining relationships with donors and prospective donors;
- 1.1.8. Overseeing and advising on the management and administration of gifts across the University;
- 1.1.9. Collaborating with Faculties, Research Institutes and administrative units (i.e. Scholarships and Prizes Office, Research Services, Graduate Research Office etc) in the development of gift proposals and implementation of gifts to ensure the best outcomes for the University; and
- 1.1.10. Managing and developing the UC Foundation name as a vehicle to generate interest in and awareness of giving to the University.

## **2. Use of the University of Canberra Foundation name**

2.1. The University of Canberra Foundation (UC Foundation) is a nameplate of the University of Canberra managed by the Advancement Office. The UC Foundation does not exist as an independent structure.

2.2. The UC Foundation name is to be used:

- 2.2.1. for the purposes of promoting philanthropy at the University;
- 2.2.2. to solicit gifts for the University;
- 2.2.3. for the purposes of reporting internally and externally on fundraising achievement and impact across UC;
- 2.2.4. as the name within the University's financial accounts which holds funds donated to the University.

2.3. A Gift to the UC Foundation is a gift to the University which is recognised as a Deductible Gift Recipient (DGR) by virtue of its status as a "public university" in the terms of the *Income Tax Assessment Act 1997*.

2.4. The Advancement Office provides an Annual Report on fundraising activity and financial statements on gifts received and held under the UC Foundation name to Council, via Finance Committee and management via the Vice-Chancellor's Group.

## **3. Fundraising approvals**

3.1. All planned fundraising activity soliciting gifts for the University of Canberra must be approved in advance by the head of the Advancement Office.

3.2. In the event that advance approval is impractical (i.e. due to an unexpected and time critical opportunity with a perspective donor) the head of the Advancement Office must be informed as

soon as is practical.

#### **4. Gift Acceptance**

4.1. The UC Foundation implements a policy on acceptance and refusal of gifts such that:

4.1.1. All gifts are in accordance with the University of Canberra's purposes and objectives under the University of Canberra Act 1989;

4.1.2. All gifts adhere to the Fundraising Institute of Australia's [Code of Acceptance and Refusal of Donations](#);

4.1.3. Where a donor wants a gift to be designated for a special purpose, the wishes and intentions of the donor will provide guidance for how the gift will be used, however, the University ultimately has the final decision on how an accepted gift will be used;

4.1.4. UC Foundation will not accept gifts that:

4.1.4.1. are restrictive or inconsistent with the University's mission and priorities;

4.1.4.2. compromise the University's integrity, autonomy or academic freedom;

4.1.4.3. cause the University to breach any applicable policy or law;

4.1.4.4. cause the University excessive expenditure and/or commitment to maintain, administer or comply with the gift and its intended use;

4.1.4.5. may result in reputational risk to the University;

4.1.4.6. are not made in the true spirit of benefaction;

4.1.4.7. are likely to result in a material benefit or advantage being received by the donor and/or their immediate family.

4.1.5. Gifts will not normally be refunded unless genuinely made in error.

4.1.6. Gifts may only be accepted or refused by the Vice-Chancellor and President, members of the Vice-Chancellor's Group (VCG) and staff of the Advancement Office pursuant to their relevant Financial Delegations.

4.1.6.1. All delegates must seek advice from the head of the Advancement Office before accepting a gift.

4.1.6.2. If, after taking appropriate advice, the delegate is uncertain he or she should refer the matter to the Gift Acceptance and Administration Committee for further advice.

4.1.6.3. All gifts of AU\$1,000,000 or more should be referred to the Gift Acceptance and Administration Committee for advice prior to acceptance.

#### **5. Gift Administration and Management**

5.1. The University will manage and administer gifts ensuring gifts are used to the best advantage of the University

5.2. Gift administration will be consistent with applicable trust conditions and donor preferences

5.2.1. Where donor preferences are inconsistent with the objectives of the University, the University's objectives will take preference. In this situation, the University will endeavour to consult with the donor and use the gift for the closest possible purpose to the donor's intent that is beneficial to the University.

5.3. Decisions relating to gift administration and management will be made by the delegate responsible for accepting the gift.

5.3.1. Delegates should seek advice from the head of the Advancement Office when making decisions in regard to gift administration and management.

5.3.2. If, after taking appropriate advice, the delegate remains uncertain he or she should refer the matter to the Gift Acceptance and Administration Committee for advice.

5.4. Expenditure decisions relating to gifts will be made pursuant to relevant financial delegations.

## **6. Gift Acceptance and Administration Committee**

6.1. The University will establish a Gift Acceptance and Administration Committee.

6.2. Membership of the Committee will comprise:

6.2.1. Vice-Chancellor and President (Chair)

6.2.2. Director, Finance & Business Services

6.2.3. Head of the Advancement Office

6.2.4. Two Deans or Research Institute Directors appointed by the Vice-Chancellor and President on a 2-year rotational basis

6.3. For the purposes of Gift Acceptance, the Vice-Chancellor and President may elect to expand the membership for a single meeting such that one or more of the following people are included:

6.3.1. A member of Council

6.3.2. The General Counsel

6.3.3. A Deputy Vice-Chancellor

6.3.4. An external representative chosen for their standing in the community or business, their knowledge and experience and their understanding of the University, its objects, values and strategic priorities.

6.4. The primary role of the Gift Acceptance and Administration Committee is to:

6.4.1. Oversee the income and expenditure of the Foundation including:

6.4.1.1. reviewing and approving the UC Foundation's Annual Report.

6.4.1.2. reviewing annual income and expenditure on the University's Endowments and approving forward expenditure.

6.4.2. Review any proposed gift referred to the Committee by a delegate against the gift acceptance principles in Section 4 of this Policy and provide advice to the Vice-Chancellor and President, who maintains ultimate right to accept or refuse the gift.

6.4.3. Review any gift management proposal referred to the Committee by a delegate against the Gift Management and Administration principles in Section 5 of this Policy and provide advice to the Vice-Chancellor and President who maintains ultimate decision making authority.

6.4.4. To take on the role of the W.J Weeden Postgraduate Scholarship Trust Fund Committee.

6.5. The Gift Acceptance and Administration Committee will meet on an annual basis with additional meetings on an as required basis.

## **RESPONSIBILITIES:**

Who	Responsibilities
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Policy Owner	Deputy Director, Advancement
Policy Contact	UC Foundation Manager

## LEGISLATION:

2.1 This policy is governed by the

- [University of Canberra Act 1989](#);
- [Information Privacy Act 2014 \(ACT\)](#);
- [Territory Privacy Principles \(TPP's\)](#);
- [Privacy Policy](#);
- [Charitable Collections Act 2003](#);
- [Lotteries Act 1964](#);
- [Competition and Consumer Act 2010](#); and
- [Human Rights Act 2004](#).

## SUPPORTING INFORMATION:

### Context

This policy has been developed to establish the UC Foundation and the staff of the Advancement Office as the main body responsible for encouraging, coordinating and processing philanthropic gifts to the University of Canberra. It should be read in conjunction with the UC Foundation Procedures.

### Documents related to this policy are:

- [The Privacy Act 1988](#)
- [Naming Rights Policy](#)
- [Naming Rights Procedure](#)
- [Investment Policy](#)

## DEFINITIONS:

Terms	Definitions
Gift	A voluntary transfer of money or property to the University by way of benefaction where no material benefit is received by the donor from the University in return.
Donation	See 'Gift'
Sponsorship	A transfer of money or property to the University in a transaction where the sponsor receives certain specified material benefits in return. Sponsorships attract GST as they provide a material benefit.
Donor	Any person or organisation making a donation to the University.

Deductible Gift Recipient	A deductible gift recipient (DGR) is an entity or fund that can receive tax deductible gifts.
Head of the Advancement Office	The most senior staff member of the Advancement Office, currently the Deputy Director, Advancement.