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Ethical policy

University of Birmingham – Donor Charter & Ethical Guidelines for Fundraising

We are very grateful for the support we receive from all of our donors. Your contribution helps to ensure that the University continues to be a world leader. Thank you.

A. Donor's Rights
1. All fundraising solicitations, by or on behalf of, the University of Birmingham will disclose the University's name and purpose for which the funds are requested. Printed solicitations (however transmitted) will also include its address or other contact information.

2. Donors and prospective donors are entitled to the following, promptly, upon request:
• The most recent annual report and financial statements;
• Confirmation of the exempt educational charitable status of The University of Birmingham;
• A copy of these guidelines;
• The results of any personal due diligence undertaken by the University. Please see below for guidance of the circumstances under which such an exercise may be undertaken.

3. Donors and prospective donors are entitled to know, upon request, whether an individual soliciting funds on behalf of the University is a volunteer, an employee, or a hired solicitor.

4. Donors will be encouraged to seek independent advice if the University has any reason to believe that a proposed gift might significantly affect the donor's financial position, taxable income, or relationship with other family members.

5. Donor's requests to remain anonymous will be respected.

6. The privacy of donors will be respected. Any donor records that are maintained by the University will be kept confidential to the greatest extent possible. Donors have the right to see their own donor record, and to challenge its accuracy.

7. Donors and prospective donors will be treated with respect. Every effort will be made to honour their requests to:
• Limit the frequency of solicitations;
• Not to be solicited by telephone or other technology;
• Receive printed material concerning the University.

8. The University will respond promptly to a complaint by a donor or prospective donor about any matter that is addressed in this document. A designated member of the Development and Alumni Relations Office, or volunteer, will attempt to satisfy the complainant's concerns in the first instance. A complainant who remains dissatisfied will be informed that s/he may appeal in writing to the Vice-Chancellor of the University of Birmingham, and will be advised of the disposition of the appeal.

9. Donors accept that the management, and governance of programme and/or activities funded through philanthropy, rests solely with the University. Donors will, however, be provided with appropriate and commensurate opportunities for continuing engagement with the programmes/activities that they have funded/are funding. The scope for this engagement will, in the case of significant gifts, be enshrined within either a Statement of Intent (Value of £1,000+), or a Deed of Gift (where the University is placing a strategic reliance on the funding provided).

B. Ethical Guidelines for the Acceptance of Gifts and Donations

1. It is agreed that the basis on which the University of Birmingham will actively seek funding is:

• That the full cost of the project is identified (i.e. required support staff costs, additional running costs, additional space requirements are all included);
• That the project is approved by the senior management of the University as being strategically important in enhancing Birmingham's academic standing and/or its income-generating potential;
• That the project involves no or minimal net cost to Birmingham in terms of financial commitment at the end of the period covered by the gift.

2. The following principles will be considered for all gifts which may, in the opinion of the Development & Alumni Office, have a controversial dimension, but should in any case be considered in the case of all single gifts greater than £99,999 and/or where the total value of donations amounts to more than £500,000:

• Does the potential gift fit with the University's strategic mission?
• Is there published or other credible evidence that the proposed gift will be made from a source that arises in whole or in part from an activity that:
- Evaded taxation or involved fraud?
- Violated international conventions that bear on human rights?
- Limited freedom of enquiry, or encroached on academic freedom?
- Was illegal and/or involved money laundering?
• Is there evidence that the proposed benefaction, or any of its terms will:
- Require action that is illegal?
- Seriously damage the reputation of the University?
- Create unacceptable conflicts of interest?
- Harm the University's relationship with other benefactors, partners, potential students or research supporters ?
• The University will take reasonable steps to clarify the source of funding and where any concern is identified then potential gifts will be referred to the Vice Chancellor in accordance with the provisions of paragraph 4 below.
• 'Due diligence' will be undertaken in respect of all single gifts greater than £99,999 and/or where the total value of donations amounts to more than £500,000. This will be a review that assesses the acceptability of a proposed donation against the criteria as defined in B2 above. In such instances, a

clear distinction will be drawn between rumour or speculation, and matters of confirmed fact or legal finding. Potential reputational risks that result from negative public perception will be considered.

4. Gift acceptance policy/procedures are as defined in the accompanying flowchart.

• We will review gifts from students and parents (both current and prospective) under the same criteria as stated above ensuring that undue influence does not occur as a result of financial support
• Decisions that do not fall within the due diligence process will be taken by the canvasser concerned, and in the case of a decision to decline then the donor, Director of DARO and the Vice-Chancellor will be advised. University Executive Board and Council may be informed of the decision.
• Where the due diligence process has been undertaken and no issues have been identified the Director of DARO will take the decision to accept and s/he will advise the Vice-Chancellor accordingly. University Executive Board and Council may be informed of the decision.
• If any doubt exists then the Vice-Chancellor will be consulted and s/he may then refer the decision to University Executive Board who may take the decision and/or refer the matter to Council for final decision. The donor will be informed.

5. Previous decisions regarding the acceptance of particular gifts of more than £100k, taken in good faith, will be reviewed annually and may be reconsidered, in the light of new events or information.

6. In turn, the University undertakes that:

• All communications made to potential donors concerning a project will be honest, truthful, and comply with the law;
• The Donor's Rights will be respected.

C. Fundraising Practices

The University of Birmingham is an exempt educational charity (Charities Reference Number X7237), and, as such is subject to Charity Commission and Higher Education Funding Council for England (HEFCE) regulation.

1. Fundraising solicitations on behalf of the University of Birmingham will:

• Be truthful;
• Accurately describe the University's activities and the intended use of donated funds;
• Respect the dignity and privacy of those who benefit from the University's activities.

2. Volunteers, employees and hired solicitors who solicit or receive funds on behalf of the University shall:

• Adhere to the provisions of this code;
• Act with fairness, integrity, and in accordance with all applicable laws;
• Adhere to the provisions of applicable professional codes of ethics, standards of practice, etc.
• Cease solicitation of a prospective donor who identifies solicitation as harassment or undue pressure;
• Disclose immediately to the University any actual or apparent conflict of interest;
• Not accept donations for purposes that are inconsistent with the University's objects or mission. See B above.

3. Paid fundraisers, whether staff or consultants, will be compensated by a salary, retainer or fee, and will not be paid finders' fees, commissions or other payments based on either the number of gifts received or the value of funds raised. Compensation policies for fundraisers, including performance-based compensation practices (such as salary increases or bonuses) will be consistent with the University's policies and practices that apply to non-fundraising personnel.

4. The University will not sell either its donor or alumni lists.

5. The Vice-Chancellor will be informed at least annually of the number, type and disposition of complaints received from donors or prospective donors about matters that are addressed in this code.

D. Financial Accountability

1. The University of Birmingham's financial affairs will be conducted in a responsible manner, consistent with the ethical obligations of stewardship and the legal requirements of national regulators.

2. All donations will be used to support the mission of The University of Birmingham.

3. All restricted or designated donations will be used for the purposes for which they are given. If necessary due to programme or organisational changes, alternative uses will be discussed where possible with the donor or the donor's legal designate. If the donor is deceased or legally incompetent, and the University is unable to contact a legal designate, the donation will be used in a manner that is as consistent as possible with the donor's original intent.

4. Annual financial reports will be factual and accurate in all material respects and will disclose:

• The total amount of fundraising revenues;
• The total amount of fundraising expenses;
• Identify government grants and contributions separately from other donations;
• Be prepared in accordance with generally accepted accounting principles and standards.

5. The cost effectiveness of the University's fundraising programme will be reviewed regularly by the Vice-Chancellor and the University Executive Board.

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