

## Gift Acceptance Procedures

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### 1. Governing Policy

[Gift Acceptance Policy](#)

### 2. Purpose

To specify the processes associated with managing the University's fundraising and gift acceptance activities consistent with the mission and principles of the [Gift Acceptance Policy](#).

### 3. Definitions

See [Gift Acceptance Policy](#) for definition of 'fundraising' and 'gift'.

**Major gift**

A gift of \$10,000 or more, received either in a lump sum or cumulatively within three years.

### 4. Procedures

#### 4.1. Coordination of philanthropic fundraising

**Any person planning or engaging in philanthropic fundraising**

- a. Consult Alumni and Advancement before any fundraising campaigns or planned approaches to new or existing donors (whether as individuals or as a group, including activities such as crowdfunding, silent auctions and raffles) so that they can:

	<ul style="list-style-type: none"> <li>i. determine whether a current relationship already exists between the University and potential donor/s</li> <li>ii. undertake prospect research and complete a donor profile for major gifts</li> <li>iii. ensure a potential gift complies with the <a href="#">Gift Acceptance Policy</a>, other University policies and all relevant legislation</li> <li>iv. determine if approval to proceed is required, in accordance with Procedure 5</li> <li>v. assist with development of marketing material, donation forms and online content to support the fundraising</li> <li>vi. assist with gift negotiation.</li> </ul> <p>b. Whenever contact is made with an individual prospective donor or existing donor that progresses the donor's engagement with the University, email the outcomes to <a href="mailto:giving@flinders.edu.au">giving@flinders.edu.au</a> so that the engagement can be recorded in the University's database.</p>
<b>Alumni and Advancement</b>	<p>c. Provide a central point of contact for coordinating all philanthropic fundraising activity.</p>

## 4.2. Donor enquiry protocol

<b>Any staff member receiving a direct enquiry from a prospective donor to the University</b>	<ul style="list-style-type: none"> <li>a. Immediately forward any direct enquiry about a possible gift or future bequest (including a gift for a prize or scholarship) to Alumni and Advancement.</li> <li>b. Work with the Alumni and Advancement partner to engage with the prospective donor in accordance with these Procedures.</li> </ul>
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## 4.3. Donor stewardship

All persons engaging with donors or prospective donors on behalf of the University must do so with respect by ensuring that:

- a. their behaviour is professional
- b. donors or prospective donors are informed of:
  - i. the University's mission
  - ii. the University's capacity to use gifts effectively for their intended purposes
  - iii. whether those seeking gifts are volunteers, staff, or engaged agents
  - iv. the progress with acceptance of, and use of, any gift
  - v. the identity of key University staff involved in ongoing management of their gift.
- c. no gift is pursued with a prospective donor where that is against the donor's best interests
- d. donor details are treated confidentially and not shared with any external organisation without the donor's explicit permission
- e. Alumni and Advancement are informed at the earliest opportunity of every gift or pledge, or potential gift or pledge, made to the University.

## 4.4. Approving gift offers

- a. This section does not apply to ad hoc donations made via the University's online portal or 'tap and go' facilities.

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- b. Only Procedures 4.4.5.c to 4.4.5.f and 4.5 apply to gifts received as part of a formal University fundraising campaign.

#### 4.4.1. Receiving a gift offer

**Any staff member who is notified or becomes aware of a gift offer**

- a. At the earliest opportunity, contact Alumni and Advancement for advice and support, and forward all relevant information and documentation—e.g., a notification of a bequest, a letter/email of offer, a telephoned message or an offer made in person.
- b. Work with the Alumni and Advancement partner to facilitate an appropriate outcome in accordance with these Procedures.

#### 4.4.2. Considering a gift offer

**Alumni and Advancement, in conjunction with University delegate**

- a. Notify the relevant delegate of the offer of a gift and consult with them throughout the assessment process.
- b. Consult with:
  - i. Legal Services about any gift conditions
  - ii. Finance and Procurement Services in relation to:
    - any gift offered other than in cash, including for the purpose of valuing that gift, as required, or
    - about any gift conditions that are financial in nature e.g. a requirement that a gift be invested a particular way, or that expenditure of capital or income of the gift is restricted
  - iii. Research Development and Support to:
    - confirm that any offer of funds for research purposes will be by way of a gift and not a grant or similar payment
    - confirm the form of any gift conditions for gifts of funds for research purposes.
  - iv. other relevant University staff members, including staff with the technical expertise relevant to the conditions and/or use of gift funds, as required.
- c. In considering acceptance of the gift, take into account whether:
  - i. the gift is philanthropic or should be processed in a different way (e.g. grant, sponsorship), and also whether it is eligible for tax deductibility status
  - ii. the gift complies with the [Gift Acceptance Policy](#) and other University policies, including not compromising the University's integrity, independence/autonomy or commitment to academic freedom
  - iii. a due diligence report is required, in accordance with Procedure 4.4.3, and
  - iv. there is any impact or risk, including financial or reputational, to the University which might result from accepting the gift and how that might be mitigated.
- d. If the proposed gift:
  - i. is a **cultural gift** (whether by bequest or donation), consult as appropriate with the Flinders University Art Museum or University Library
  - ii. involves an offer to establish a **prize or scholarship**, apply the [Prizes and Scholarships Policy](#)

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- iii. involves the potential for **recognition** to be conferred on the donor (e.g. through naming a facility or scholarship after the donor), apply the Naming Procedures (*under development – currently [Recognition of Service, Donation, Significant Contributions or Personal Achievement policy](#)*).
- e. If the proposed gift involves **matching funding** provided by the University, the following must be taken into account:
- i. Any matched funding must not compromise the University's operating cash reserves, the discretionary investment income on those cash reserves, or University and divisional financial performance targets.
  - ii. Philanthropic investment income may not be used to fund core operating activities except as provided in iii.
  - iii. Matching funding may only be provided if:
    - the delegate is of the opinion that it will encourage or support the scope or value of an intended gift, and
    - the funding to be matched is a cash gift (whether in the form of an endowment or otherwise), or a pledged amount to be paid in instalments, with the matching funds provided in parallel instalments, and
    - the matching funding is accommodated in the relevant College/Division's approved budget and specifically approved by the relevant College or Division head, in accordance with their expenditure delegations.
- f. If the proposed gift is **valued at \$200k or more**, refer the offer to the Gift Review Group in accordance with Procedure 4.4.4.

#### 4.4.3. Due diligence

- a. A due diligence report must be completed for all major gifts. A due diligence report may be completed for gifts below the major gift threshold at the discretion of Alumni and Advancement or the University delegate.
- b. Due diligence will assess:
  - the probity of the donor
  - the source of funds
  - the purpose of the gift and its compliance with the Gift Acceptance Policy
  - any impact or risk which might result from accepting the gift, including ethical, reputational, conflict of interest, foreign interference and/or the potential to trigger statutory reporting or regulatory obligations (e.g. under the Foreign Arrangements or Foreign Influence Transparency schemes).
- c. Alumni and Advancement will undertake due diligence activities and prepare a report for the University delegate.
- d. If due diligence activities identify any issues, the University delegate must refer the gift offer to the Gift Review Group for consideration **before** it can be accepted.

#### 4.4.4. Gift Review Group

- a. Gift offers must be referred to the Gift Review Group when:
  - i. the gift is \$200k or greater, or
  - ii. due diligence activities identify potential issues with the gift offer.

- b. The Gift Review Group will comprise the:
- i. Chief of Staff (Chair)
  - ii. Senior Executive(s) relevant to the gift offer being considered, as determined by the Chair
  - iii. General Counsel and University Secretary
  - iv. any other members determined by the Chair relevant to the gift offer being considered.
- c. The Gift Review Group may:
- i. recommend that the gift offer is accepted
  - ii. recommend that the gift offer is declined
  - iii. request further information or consultation on the gift offer, or
  - iv. recommend seeking amendment to the gift offer, in accordance with Procedure 4.4.6.

#### 4.4.5. Accepting a gift offer

<b>University delegate</b>	<p>a. If <b>SATISFIED</b>, after consideration, that the gift should be accepted, document the acceptance by way of:</p> <ol style="list-style-type: none"> <li>i. a formal Letter of Acceptance, or</li> <li>ii. a formal Deed of Gift —as specified at g. below.</li> </ol> <p>b. Ensure a copy is provided to Alumni and Advancement.</p>
<b>Alumni and Advancement</b>	<p>c. Arrange a gift receipt, where required.</p> <p>d. Ensure the gift is recorded in the University Donation Register.</p> <p>e. If the gift has <b>conditions</b> or ongoing administration requirements (including that it be used for a specific purpose):</p> <ol style="list-style-type: none"> <li>i. ensure that an appropriate staff position is identified as the Responsible Person for: <ul style="list-style-type: none"> <li>• ensuring compliance with the conditions, and</li> <li>• authorising expenditure of gift funds, and</li> </ul> </li> <li>ii. ensure that the identified Responsible Person is informed of their responsibilities under Procedure 4.5.</li> </ol> <p>f. For <a href="#">major gifts</a> or fundraising campaigns that raise \$10,000 or more, prepare a University Donation Record which includes:</p> <ul style="list-style-type: none"> <li>• a summary of the gift conditions as specified in the Deed of Gift, or as specified by the fundraising campaign any internal rules or processes applicable to the administration of the gift, and</li> <li>• details of the Responsible Person</li> </ul> <p>—for review by Legal Services and approval by the University delegate.</p>

#### g. Use of Deed of Gift or Letter of Acceptance

- i. A Deed of Gift must be used if:
  - the gift is not a bequest and is a major gift
  - the gift is not a bequest and is payable in instalments, irrespective of value
  - the University delegate determines, in their discretion, that a Deed of Gift be used.
- ii. A Deed of Gift must be in a format approved by Legal Services.
- iii. A Letter of Acceptance must be used for all other gifts.

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iv. A Letter of Acceptance must be in a format approved by Legal Services and must:

- specify the amount of money to be given to the University, and
- identify the relevant delegate, and
- describe how the University will recognise the gift.

#### 4.4.6. Seeking to amend a gift or gift offer

**University delegate**

- a. If NOT satisfied, after consideration, that the gift should be accepted, initiate negotiations, in conjunction with Alumni and Advancement, with the potential donor to explore the possibility of amending the offer so that it meets the requirements of Procedure 4.4.2.
- b. If the conditions or rules of an existing gift need to be amended, initiate negotiations, in conjunction with Alumni and Advancement, with the donor to agree new conditions or rules in accordance with Procedure 4.4.2.

#### 4.4.7. Declining a gift or gift offer

**University delegate**

- a. If the decision is to decline the offer of a gift, write to the potential donor, after consultation with Alumni and Advancement, explaining why the University cannot accept the offered arrangement.
- b. Ensure a copy of the signed letter is provided to Alumni and Advancement.
- c. If this process results in a modified offer being made by the potential donor, begin consideration of the gift again in accordance with Procedure 4.4.2.
- d. If the University proposes to decline or cease to administer an existing gift because it no longer complies with the [Gift Acceptance Policy](#) or these procedures, write to the donor, after consultation with Alumni and Advancement, explaining why the University cannot continue to accept or administer the gift.
- e. Ensure a copy of the signed letter is provided to Alumni and Advancement.

#### 4.5. Ongoing gift administration

**Responsible Person approved by the University delegate**

- a. Authorise all expenditure arising from the gift.
- b. Ensure that all expenditure/use of the gift is for the purposes specified by the donor/s or fundraising campaign.
- c. Ensure that all other conditions of the gift are complied with.
- d. Maintain appropriate record keeping in respect of the gift, including ensuring that all gift documents and other material records are stored on the University Donation Register.
- e. For [major gifts](#) or fundraising campaigns that raise \$10,000 or more, certify annually that all gift conditions have been complied with (or that any non-compliance with gift conditions, and the steps being taken to remedy the non-compliance, have been reported) in accordance with the process coordinated by the Gifts and Bequests Compliance Officer.
- f. Report any non-compliance with gift conditions to the Gifts and Bequests Compliance Officer and University delegate as soon as it is identified and agree the steps to be taken to remedy the non-compliance.

**Gifts and Bequests Compliance Officer**

- g. Annually coordinate a compliance certification process by Responsible Persons.

	<p>h. If any reports of non-compliance with gift conditions are made, agree with the Responsible Person and other relevant University staff members the steps to be taken to remedy the non-compliance.</p> <p>i. Undertake independent compliance audits according to a risk-based approach on a regular and ongoing basis.</p>
<b>Alumni and Advancement</b>	<p>j. Where it is a condition of the gift, ensure that reports are provided to donors on the financial management, expenditure and impact of the gift.</p> <p>k. Ensure that periodic reviews of compliance and the effectiveness of controls are conducted.</p>
<b>All staff members</b>	<p>l. Report any non-compliance or possible non-compliance with gift conditions that comes to their attention to the Gifts and Bequests Compliance Officer and Alumni and Advancement.</p>

#### 4.6. Staff giving

- a. Staff may give to the University through regular gift channels or through salary packaged payroll deductions to specified purposes (excluding research projects where the staff member controls the expenditure of funds for that project).  
[Consultancy funds cannot be donated to the University as they are already University funds.]
- b. For further information, refer to the [Workplace Giving webpage](#).

#### 4.7. Transitional matters

- a. These procedures apply to all gifts received on and after the Effective Date (see below).
- b. Gifts received before the Effective Date will be reviewed by Alumni and Advancement based on the present fund value and according to a risk-based approach, and these procedures will apply to those gifts on a date or date(s) to be specified by the Chief of Staff.

## 5. Authorities

The following delegated authorities apply, unless specific authorities are provided in other policies or instruments of delegation.

Nature of authority	Delegate
<b>Gifts</b>	
Acceptance or declining of <i>all</i> gifts, and approval of amendments to gift conditions or rules <sup>1</sup>	Vice-Chancellor
	Chief of Staff
<b>Fundraising</b>	
Approval of fundraising <b>appeals and campaigns</b>	Vice-Chancellor
	Chief of Staff
Approval of <b>individual personalised</b> fundraising for <a href="#">major gifts</a>	Chief of Staff (or delegate)

<sup>1</sup> Includes gift conditions or rules in place prior to the Effective Date of these procedures (see below).

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<b>Approval Authority</b>	Chief of Staff
<b>Responsible Officer</b>	Chief of Staff
<b>Approval Date</b>	8 December 2021
<b>Effective Date</b>	8 December 2021
<b>Review Date*</b>	December 2024
<b>Last amended</b>	Vice-Chancellor, 16 February 2023
<b>CM file number</b>	CF20/579

\* Unless otherwise indicated, this procedure will still apply beyond the review date.

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