

Oriel College Ethical Donations Policy and Committee to Review Donations

Process

For gifts that exceed £10,000, or cumulative gifts which exceed £10,000, the Development Director will compile a termly report for the consideration of the Committee to Review Donations. Each gift, or pledge, in the report will be measured against the following questions:

1. Do you know or have reasonable ground to suspect that:
 - a. In accepting the gift, the College would be acquiring the proceeds of crime or be otherwise involved in money laundering activity?
 - b. In accepting the gift the College would be accepting a bribe or offering a bribe to the donor or funder?
 - c. In accepting the gift, the College would be involved in terrorist financing activity?
 - d. Any conditions attached to the gift would require the College in act illegally in any way?
2. Would acceptance of the gift be in the best interests of the College?
3. Are the purposes for which the gift is to be used known, and do they fall in whole, or in part, outside of the charitable objects of the College?
4. Is there credible evidence that a proposed donation, or any of its terms, would:
 - a. Impinge on academic freedom or limit freedom of enquiry?
 - b. Create conflicts of interest for the College or University and/or the individual beneficiaries of the donation?
 - c. Do serious harm to the reputation of, or cause significant public scandal to, the College?
 - d. Seriously harm the College's relationship with other benefactors, partners, staff, students, or other stakeholders?

For gifts over £100,000

5. Has it been deemed necessary or desirable to undertake professional research to assist in the answers to the above questions? If no, should this be undertaken?

For legacy gifts

6. For cases where the legacy has been pledged and not yet been received, would it be morally wrong to accept the legacy and, if so, does the College have the requisite power to refuse it?
7. Are there any other grounds on which the legacy could be refused?

Timing

Gifts of this size and over are normally solicited by the College which allows time for pre-approval. Any unsolicited gifts will be approved by the Committee *ad hoc* by email if necessary.

Declining a Gift

In the event that any of these questions cannot be answered satisfactorily the Committee will recommend to Governing Body that the gift be declined.

The Terms of the Committee

Membership comprises the Provost (Chair), Treasurer, Development Director and two further fellows.

The Committee will meet on a termly basis to consider and make recommendations on acceptance of a proposed donation, or pledge, to the College, in line with the principles of the Ethical Donations Policy, in respect of:

1. every proposed donation of £10,000 or more;
2. cumulative gifts equal to or exceeding, in total, £10,000 which shall be treated as one gift and a decision taken at the point when the threshold of £10,000 is reached;
3. any proposed donation under £10,000 which either the Development Director draws to the committee's attention on the grounds that its acceptance may breach gift acceptance criteria (below) or any member of the Development Committee or Governing Body draws to the Committee's attention.
4. Any proposed donation from a current student, their relatives or guardians, which exceeds £100 per academic year for the duration that the student is enrolled as such in the College.

The Committee shall be considered quorate if the Provost and two further members are present.

The Committee should strive to give unanimous recommendations, but if not possible minority views should also be reported.

The ultimate decision to accept or reject a gift will reside with the Governing Body, following recommendations from the Committee.

Further points

1. Review of donations as described should be mandatory for donations to all parts of the College. Any member of the College seeking to raise donations for the benefit of the College is obliged to do so in consultation with the Development Office.
2. The Development Director should be the person responsible for providing reports to the Committee, though that does not preclude others from raising concerns.
3. The College agrees to respect a donor's right to anonymity, but their identity will be known to the members of the Committee in respect of a decision to accept such a gift.
4. The source of funds must be known to the Committee before a gift can be accepted.
5. Donations must not and cannot ever be linked with admissions to the College, which are handled separately.
6. It is a Charity Commission requirement to have such a policy:
<https://www.gov.uk/government/publications/internal-financial-controls-for-charities-cc8/internal-financial-controls-for-charities>

Unethical donations

The College accepts that, while a donation may not be illegal, it may be deemed to have come from an unethical activity. Ethical conflicts are, by their nature, difficult to define and often subjective.

Notwithstanding the criteria cited above, a gift should be deemed unethical if it contravenes the College's Ethical Investment Policy, and specifically that donations will not generally be accepted if the potential donor is actively involved in the tobacco industry (using the definition used in the "Cancer Research UK Code of Practice on Tobacco Industry Funding to Universities").

Gifts under £10,000

All gifts are reported to the Development Committee at its termly meeting. Any gifts of this size which a member of the Development Committee deems to have breached the above criteria will be referred to the Committee to Review Donations.

Received/historic gifts

Gifts received by the College which might be deemed to be in breach of the above criteria may be examined by this committee at the request of any member of Governing Body, at the discretion of the Committee. In this event, the length of time since the gift was received, the benefit received by the College from the gift, and any legal implications around wishing to return a gift, should be borne in mind.