

## **Magdalen College Gift Acceptance Policy**

Magdalen College (Charity No.1142149), and the Magdalen College Development Trust, (Charity No. 273860) are registered charities and as such are committed to ensuring that gifts are accepted in a manner consistent with the ethical, legal, and regulatory standards set by the Charity Commission and the Fundraising Regulator, and in accordance with the College's charitable objects, Statutes and Bylaws.

Responsibility for the acceptance and refusal of gifts rests ultimately with the Governing Body of the College even when decision making has been delegated. Governing Body must be able to demonstrate that it has acted in the best interests of the College in each case.

### **Deciding whether to accept a gift**

- Gifts must be lawful, and must align with the College's charitable objectives and values
- Any restrictions or conditions attached to gifts must be clearly documented, lawful, and agreed upon by both the College and the donor
- Restricted donations will be used solely for their agreed purpose. The College reserves the right to refuse any gift that comes with unmanageable expectations.

The College will conduct proportionate due diligence as to the source of any gift, and the history of the donor and their connected persons.

The extent of investigation conducted will depend on the circumstances of the individual case, and which may include the amount of the gift, whether the donor has given any gifts to the College or the University before, and any previous or current relationship between the donor, their connected persons and the College or the University.

When considering whether to accept a gift, members of Governing Body must act in accordance with their duties as trustees.

When deciding whether to accept a gift, Members of Governing Body and their authorised decision-makers must act in accordance with the evidence, and should have regard to relevant factors. These may include:

- The nature, source and purpose of the gift;
- Any limitation, restriction or condition attached to the gift;
- The College's financial interests, including any future liabilities which might arise from acceptance of the gift;
- The extent to which the gift will further the achievement of the College's charitable objectives and strategic priorities;
- The need to ensure that the College's independence is not compromised by a gift or conditions attached to it;
- The potential effect on the College's reputation of accepting or refusing a gift;
- The potential effect on the College's relationship with its beneficiaries, benefactors, or the University of Oxford of accepting or refusing a gift;

Decision-makers should have regard to the examples of relevant factors set out by the Charity Commission in its 2024 Guidance [\*Accepting, refusing and returning donations to your Charity\*](#).

Decision-makers must not allow their judgment to be affected by personal, political or commercial interests, or by personal views on political or ethical issues which are not directly related to the interests of the College.

In the event of a donation being declined by the Governing Body, the College, through the Development Office, will keep a record to indicate why it was refused and any such refusal will be communicated officially and appropriately to the donor(s) at the earliest possible opportunity.

The College, through the Development Office, will maintain a record of gifts accepted over £10,000 to include the rationale for their acceptance, and a record of all gifts refused (at any level per the table below). DARC will review both lists at each meeting.

### **Other Considerations**

- Where a donor has engaged in activities which led, or would have led, the College not to accept a donation, the College may consider gifts from that donor if such activities have clearly ceased
- Donations will not generally be accepted if an intermediary negotiates a benefaction on behalf of a donor who asks for complete anonymity. The identity of the donor must at least be known to, and acceptable to, the President, Vice President, Bursar and Development Director
- Where a gift has been accepted, if information subsequently comes to light about the donor or the gift which might have made the gift unacceptable under these guidelines and the College could not reasonably have known this at the time, acceptance of the gift and associated benefits already conferred (such as naming or other recognition) may be reconsidered by the College
- Although donations will be assessed under these guidelines, irrespective of any previous consideration of the donor, there will be an assumption that, where a gift from a donor has previously been accepted, any subsequent gift will also be approved unless in the interim there has been a change in circumstance which might affect the College's decision as to whether to accept the subsequent gift.

### **Delegated authority for gift acceptance**

The Governing Body delegates authority for the acceptance of gifts and their associated conditions, such as potential naming opportunities, to the Development and Alumni Relations Committee (DARC), the President (or Vice-President), Development Director or Bursar according to the following levels:

- Gifts of £500,000-£999,999: DARC
- Gifts of £100,000-£499,999: President, Development Director and Bursar
- Gifts of £25,000-£99,999: Development Director

Governing Body must approve the acceptance of any gift, or cumulative donations, of £1m or more.

Gifts under £25,000 may be accepted by the Development Director, Librarian, Archivist, or Development Office staff. The Development Office will maintain details of all donations received.

Charity Commission guidance emphasises the importance to a charity of knowing its donors; responsibility for knowing the College's major donors who are approached sits within the remit of the President and the Development Director. Should there be any concerns about a prospective donation, the matter would be referred to the University's Committee to Review Donations (CRD). Anyone who makes a donation in excess of £250,000 is automatically subject to background checks by the University and such donations are referred to the CRD. Recommendations made by CRD will be considered by the College through DARC or Governing Body depending upon the size of the donation.

## **Naming**

Buildings, spaces, scholarships, posts and programmes may be 'named' by a donor under the following conditions:

- The total project cost, visibility and relationship to the College's strategic mission will be taken into account to decide a suitable value for the naming of each particular opportunity subject to approval
- The gift is subject to a satisfactory due diligence report
- The College can at any time review and reconsider previous decisions taken in good faith relating to naming
- Naming will be offered for a fixed period of time where appropriate
- Previous decisions should not be seen as a precedent for the 'automatic' recognition of individuals or organisations making a similar contribution; each decision will be made on a case-by-case basis
- Naming decisions, including the form of name, will be approved by DARC; any naming decisions attached to donations in excess of £1m will require Governing Body's approval following a recommendation from DARC.

Approved by Governing Body

March 2025