

Advancement Policy (MPF1133)

1. Objective

The objectives of this policy are to provide for:

- (a) gift acceptance;
- (b) fundraising conduct and principles;
- (c) the use of University and other types of funds to match philanthropic income;
- (d) donor stewardship.

2. Scope

This policy applies across the University.

3. Authority

This policy is made under the [University of Melbourne Act 2009 \(Vic\)](#) and the [Council Regulation](#) and supports compliance with the:

- (a) *Charter of Human Rights and Responsibilities Act 2006* (Vic);
- (b) *Health Records Act 2001* (Vic);
- (c) *Privacy and Data Protection Act 2014* (Vic);
- (d) *University of Melbourne Act 2009* (Vic).

4. Policy

4.1. Donations, gifts and philanthropic income are a legitimate, sustained and important component of the University's income.

4.2. The University accepts only gifts that are consistent with the University's established academic priorities and does not accept gifts when a condition of such acceptance may compromise its integrity, autonomy and commitment to academic freedom. The University does not accept donations for purposes that are inconsistent with the objects of the University (according to the [University of Melbourne Act 2009](#)).

4.3. Fundraising solicitations on behalf of the University:

- (a) are truthful;
- (b) accurately describe the University's activities and the intended use of the donated funds;
- (c) respect the dignity and privacy of those who benefit from or fund the University's activities;
- (d) are fair and accord with all relevant laws.

4.4. The University may, for strategic fundraising purposes, use its own or other funds to match philanthropic funding, provided it does not compromise the University's financial sustainability in the short or long term.

4.5. The University abides by The Donor Charter as reflected in the [Australian Vice-Chancellor's Committee \(now Universities Australia\) Code of Practice for Australian Philanthropy](#), and the University's own donor charter, as detailed in the procedural principles of this policy.

4.6. The University affords donors due respect by ethically researching appropriate prospective donors. It acknowledges, receipts, recognises and reports to donors and protects the information gathered on donors and prospective donors.

5. Procedural principles

5.1. The Vice-Principal, Advancement, coordinates and manages fundraising, gift receipt and allocation, and donor stewardship.

Gift acceptance

5.2. Philanthropic funding is accepted from a wide variety of public and private sector sources who are willing to support the University in accomplishing its mission.

5.3. The Vice-Principal, Advancement, takes all reasonable steps to ensure that the University is aware of the source of funding for each gift.

5.4. Gifts for new awards, academic appointments, programs or facilities must be brought forward with the endorsement of a faculty or relevant division, and approved by the relevant authority.

5.5. Gifts are not accepted that may:

- (a) contravene state and/or federal laws in Australia;
- (b) create unacceptable conflicts of interest;
- (c) expose the University to undue adverse publicity or reputational risk;
- (d) cause any other damage, including financial damage, deterring other donors to the University;
- (e) conflict with the values and aims of the University in any other way.

5.6. Donors cannot direct the University to give, nor can the University give, undue consideration to the donor, or anyone they designate, in the use of their gift.

5.7. Many donors wish to designate a purpose for a gift and for the gift to be used expressly for that purpose. If the donation is to establish an endowment for an ongoing purpose, that purpose should be defined as broadly as possible, to prevent subsequent failure of the trust, or difficulty in performing the trust terms, should circumstances change.

5.8. Undesignated gifts not subject to specific trust terms may be used to advance the University's mission and academic priorities as determined by the Vice-Chancellor on the recommendation of the Vice-Principal, Advancement.

5.9. So far as possible, and subject to the terms of bequests, perpetual trusts are only created for donations of \$50,000 or more so that sufficient income is generated each year for the trust purpose.

5.10. Naming proposals are determined in accordance with the [University Naming Policy](#) and relevant trust terms.

5.11. Donors do not have direct control over judgements about the recipient of a scholarship or other award funded by them, or the appointee to an academic post supported through their philanthropy.

5.12. A donor may choose to be anonymous but the terms and conditions governing the use of a donation that creates an endowment are a matter of public record.

5.13. The Gift Acceptance and Review Sub-Committee reviews and decides whether a specific gift (or any gifts from a specific potential or current donor) will be accepted.

Fundraising conduct and principles

5.14. Employees, volunteers and hired fundraisers who solicit or receive funds on behalf of the University must:

- (a) act with fairness, integrity and in accordance with all relevant laws;
- (b) adhere to the provisions of applicable professional codes of ethics and standards of practice;
- (c) disclose immediately to the Vice-Principal, Advancement, any actual or apparent conflict of interest;
- (d) ensure that no inappropriate benefit is secured in return for a gift.

5.15. Volunteers and hired fundraisers must adhere to this policy and related procedures.

5.16. Paid fundraisers, whether employees or consultants, are compensated by a salary, retainer or fee, but not by a finders' fee or commission based on the number of gifts received or the value of funds raised.

5.17. All relevant laws, including financial regulations are complied with, on the acceptance, solicitation and use of donations for the country in which fundraising activity is taking place.

Matching philanthropic income

5.18. The provision of 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.

5.19. Operating activities are not cross-subsidised from investment income except as provided in this policy.

5.20. Philanthropic income may be matched by the University if the matched funding could act as leverage in attracting philanthropic support.

5.21. The matching of philanthropic income must be accommodated in the relevant division's approved budget.

5.22. The types of philanthropic income eligible for matched funding are:

- (a) cash gifts, which may or may not form the capital of endowments;
- (b) pledged amounts to be paid over a period of time, with the matched component provided in parallel with pledge instalments;
- (c) trust income;
- (d) ongoing augmentation of trust income.

5.23. Gifts in kind are not eligible for matched funding.

Prospective donor research, data protection and donor privacy

5.24. The Vice-Principal, Advancement, follows the advice of the University Privacy Officer so that the University does not obtain, process, store, sell or pass on data unlawfully.

5.25. When conducting prospective donor research, the Vice-Principal, Advancement:

- (a) has a clear understanding of what information is fair and relevant for that purpose;
- (b) uses only ethical methods to obtain prospect research information;
- (c) avoids personal prejudice and bias;
- (d) is honest and transparent about its purpose and identity when seeking information;
- (e) takes into account the reliability of the sources of information used;
- (f) ensures that research when presented is as accurate as possible, relevant to its purpose, and timely.

5.26. The Vice-Principal, Advancement, deals appropriately with information gathered and held on alumni, other individuals and organisations.

5.27. When using external agencies or when data may be shared with a third party, for example mailing houses, the Vice-Principal, Advancement, ensures:

- (a) all issues, such as data ownership, fitness for use and confidentiality, are governed by a legally binding contract;
- (b) the University's standard One-way Confidentiality Agreement is signed by the receiving party, detailing obligations such as limiting access to the confidential information on a need-to-know basis, and returning any confidential information to the University at any time upon the University's written request.

5.28. Personal details of donors are not sold or exchanged.

5.29. Protocols for dealing with donor requests for anonymity (for specific gifts), or complete anonymity and confidentiality are enacted.

5.30. Contact reports for any significant personal contact with a prospective donor are generated. Subject to applicable legislation, the information the University holds on individuals is open and transparent.

5.31. Information held, including contact reports, by the University is available to donors if requested in line with freedom of information and privacy legislation. The University does not rely on speculative or unconfirmed information.

Donor stewardship

5.32. A donor has the right to expect:

- (a) to be informed of the University's mission, of the way the University intends to use the gift, and of its capacity to use gifts effectively for their intended purposes;
- (b) that the University and its employees will actively and positively provide relevant information on the University, and the use of, and progress with, the gift;
- (c) to be informed of the identity of the University's key personnel involved in managing the gift;
- (d) that the behaviour of individuals representing the University will be professional in nature;
- (e) to be informed whether those seeking gifts from them are volunteers, University employees, or engaged agents;
- (f) that no program, agreement, trust or contract will be pursued with potential Donors at the expense of the Donor's best interest and motivations;
- (g) that their details will be treated confidentially and will not be shared with any organisation outside the University without their explicit permission.

5.33. Every gift or pledge made to the University is acknowledged in a timely manner consistent with the size and designation of the gift or pledge, and with the donor's wishes.

5.34. Receipts for all philanthropic gifts, including cultural gifts, to the University, or part of the University are issued.

5.35. Gift clubs or societies (such as the Chancellor's Circle and Heritage Society) are in operation and use rolls of honour to recognise donors.

5.36. Annual reports are provided to donors on the financial management, expenditure and impact of endowed and significant gifts.

6. Roles and responsibilities

<i>Role/Decision/Action</i>	<i>Responsibility</i>	<i>Conditions and limitations</i>
Coordinate and manage fundraising, gift receipt and allocation, and donor stewardship	<i>Vice-Principal, Advancement, or person authorised by the Vice-Principal, Advancement</i>	In accordance with this policy and supporting processes
Determine the use for undesignated gifts not	<i>Vice-Chancellor</i>	Provided such use is to advance

subject to specific trust terms		the University's mission and academic priorities and is determined on the recommendation of the Vice-Principal, Advancement
Review and decide whether a specific gift (or any gifts from a specific potential or current donor) will be accepted	<i>Gift Acceptance and Review Sub-Committee Chair</i>	In accordance with this policy and supporting processes
Advise Vice-Principal, Advancement, on legalities of data collection and retention	<i>University Privacy Officer</i>	

7. Definitions

Division means a faculty, graduate school, or central division.

Donor charter means a code of practice which outlines the University's responsibilities pertaining to philanthropy, and also includes information on the rights of donors.

Gift means a transfer of property which is made voluntarily as an act of beneficence on the part of the donor, who does not receive any material benefit or advantage as a consequence of the gift. A gift to the University must be only for an object of the University, as set out in section 5 of the [University of Melbourne Act 2009 \(Vic\)](#). A gift may be made during the lifetime of the donor (an 'inter vivos gift') or after the death of the donor (a 'bequest'). A gift may take many forms, including cash, property, objects, works of art, shares, library or archive materials. The terms of the gift determine whether the University holds the gift as trustee or otherwise absolutely.

Matching income means University income used to match philanthropic income, which is equal to or less than that the amount being matched.

Philanthropic income means funds received by way of philanthropy or trust income.

Trust income means income distributions from the investment earnings on the capital of trust projects which is to be applied as income towards the relevant trust purpose.

Trust terms means those terms prescribed by the donor in the relevant instrument as being the purpose and conditions of the trust and accepted by the University as trustee on that basis.

Undue consideration means the provision of certain benefits or advantages to the donor, such as enrolment in a University program, or to any party to a University procurement contract or to an employee of the University.

University operating cash reserves means retained earnings of the University built up each year as a surplus to the operating requirements of the University.

POLICY APPROVER

Council

POLICY STEWARD

Vice-Principal, Advancement

REVIEW

This policy is to be reviewed by 16 March 2021.

VERSION HISTORY

Version	Approved By	Approval Date	Effective Date	Sections Modified
1	Council	7 Oct 2013	7 Oct 2013	N/A
2	Vice-Chancellor	27 May 2014	27 May 2014	Related Documents section updated.
3	Council	16 March 2016	21 July 2016	New version arising from the policy consolidation project, consolidating the Advancement Policy, Matching Philanthropic Income Policy (MPF1279) and Gift Acceptance and Review Procedure MPF1257