

# MOUNTVIEW

## GIFT ACCEPTANCE POLICY

### Introduction

Mountview is a registered charity (no.274166) and is extremely grateful for the vital support provided by a range of supporters: individuals, statutory bodies, charitable trusts and foundations, and companies.

We strive for best practice in our fundraising activities and are registered with the Fundraising Regulator. We are committed to being transparent with our supporters and to ensuring that our fundraising is legal, honest and responsible.

Mountview's fundraising team oversee the planning and delivery of all fundraising activities, supported by the Executive team and overseen by the Board of Trustees. All Mountview staff and volunteers fundraising and advocating on behalf of Mountview are expected to:

- Always act in the best interests of Mountview;
- Behave in a professional manner and act with integrity when representing Mountview;
- Observe legislation relevant to fundraising activities including the General Data Protection Regulation and Charity Commission law;
- Not exploit their position or relationship with supporters for personal gain;
- Disclose to the Chief Operating Officer any financial or personal interests which might conflict with the interests of Mountview or its donors.

### Purpose and definition

The purpose of this policy is to ensure clarity and openness for our stakeholders and supporters, and to define the process of gift acceptance for staff and Trustees of Mountview to follow when deciding whether to accept fundraised income.

For the purpose of this policy, fundraised income / donations refers to the following types of support:

- Grants from grant-giving bodies both statutory (London Borough of Southwark, Greater London Authority etc) and non-statutory (charitable trusts and foundations)
- Philanthropic gifts including cash, shares and legacies
- Sponsorship or donations from corporate companies
- Gifts in kind, pro-bono support and other tangible assets

### Policy on Gift Acceptance

The Board of Trustees have a legal responsibility to use the charity's resources to further its aims for the public benefit, and therefore operates under the assumption that donations will normally be accepted. However there may be exceptional circumstances where refusing a donation is deemed to be in the best interests of the charity, and the damage of accepting the donation outweighs the benefit of accepting it.

The legal bases for refusing a donation include:

- When it would be unlawful to accept the donation, or if the donation conflicts with Mountview's legal / regulatory obligations;
- Where there is suspicion of money laundering;
- Where the donation is in contravention of the Bribery Act;
- Where the donation is entirely anonymous and its provenance cannot be established;
- Where the support is for restricted purposes that fall outside Mountview's charitable objects;
- Where the donation is from a donor who does not have the mental capacity to decide to donate.

Further circumstances under which Mountview reserves the right to decline a donation include:

- Where there is risk of damage or damage by association to Mountview, its students or its beneficiaries, or where it risks alienating Mountview's staff, students or beneficiaries;
- Where the acceptance of the gift would impact Mountview's academic integrity, or there is expectation of personal influence / advancement;
- The stewardship expected is unreasonable or disproportionate;
- Where acceptance of the donation risks current or future funding from other sources;
- The support consists of goods, services or property that Mountview cannot lawfully use or sell, or which are impractical to receive;

Specifically, and in accordance with its agreement with the Borough of Southwark, Mountview will not accept a hire from a political or religious organisation. On the same basis, Mountview will not accept a donation or sponsorship from a political or religious organisation.

### **Return of Donations**

In exceptional circumstances (for example where new information comes to light) and where we are legally able to do so, a donation (or the unspent funds thereof) may be returned to a donor or sponsor.

### **Referring a concern**

Gift Acceptance concerns – either as a result of due diligence research, possible contraventions of this policy, or concerns about a current funder – may be made by any member of the Mountview community and must in the first instance be referred to the Director of Advancement and Chief Operating Officer. They will undertake an assessment of the concern, and if they feel it has grounds, will refer the concern to the Board of Trustees. If the Board ultimately decide to refuse or return a donation, careful record of their decision will be kept and their decision will be binding.

The Board of Trustees may in some circumstances be required to seek the views of the Charity Commission or an order from the Charity Commission to sanction their decision.

### **Due diligence on donations / source of income**

Mountview is required by Charity Commission regulations to carry out due diligence research on prospective donors, to mitigate any ethical, reputational or legal risks in accepting donations. This research is carried out via publicly available sources on all donations of £5,000 or more, or where a gift acceptance concern is raised.

### **Naming Rights**

Where gifts or sponsorship include naming rights, either for spaces in the building or for Mountview programmes / activity, these must be signed off by the Board of Trustees, supported by due diligence research. Any naming rights must be time limited and include a clause on reputational risk.

### **Contracts, Gift Agreements and Benefits**

#### Contracts

Where appropriate Mountview may issue a sponsorship contract to outline the terms of a sponsorship agreement and the stewardship agreed in return. Any changes to the agreement must be mutually agreed in writing.

#### Gift Agreements

Where appropriate Mountview may issue a Gift Agreement to outline the terms and restrictions of a philanthropic gift and the stewardship agreed in return. Any changes to the agreement must be mutually agreed in writing.

#### Benefits

Mountview operates philanthropic membership schemes which are comprised of a fixed benefit fee and a suggested

donation. The benefit fee is clearly stated and equates to the financial value of the benefits offered. Benefits can be purchased without making the suggested donation, without any unfavourable treatment as a result.

### **Delegation of Authority**

Ultimate responsibility for gift acceptance lies with Mountview's Board of Trustees. Authority for the solicitation and acceptance of gifts is delegated by Mountview's Board of Trustees as follows:

- Gifts below £50,000: Director of Advancement
- Gifts between £50,000 to £100,000: Chief Operating Officer and Principal & CEO
- Gifts over £100,000: Board of Trustees

All decisions made by the relevant authority are binding, unless new information comes to light.

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**Date established:** October 2021

**Date reviewed:** April 2024

**Date of next review:** April 2025

**Owner:** Director of Advancement