



# JANE FRANKLIN HALL

## Gift Acceptance Policy

Drafted by:	Advancement Manager	Approved by Council on:	23 February 2023
Responsible person:	Advancement Manager	Scheduled review date:	February 2025

### 1. PURPOSE

The purpose of these guidelines is to allow Jane Franklin Hall Council and staff to make clear and consistent decisions regarding the acceptance or refusal of donations and funding.

This Gift Acceptance Policy complies with the Fundraising Institute of Australia's Code of Conduct and has been informed by that policy to ensure the highest standards of ethical and transparent fundraising practices.

### 2. GUIDING PRINCIPLES

Jane Franklin Hall has an obligation to conduct its fundraising relationships in an ethical manner, and to ensure that due diligence is observed when assessing whether to accept donations and funding or establish specific philanthropic relationships or contracts.

- The College welcomes gifts, donations and bequests that benefit residents, facilities and activities, in line with the College purpose, vision, values and strategic plan
- While Jane will make every effort to accept gifts, it retains the right to refuse the offer of any gift, for example, gifts that will adversely risk its reputation or compromise its independence or integrity
- The decision to accept, or decline a gift, donation or bequest is to be made by the Principal.

### 3. SCOPE

This policy applies to staff members, particularly those engaged in fundraising; donors and prospective donors; Council, members of Council, Fellows, Chaplains, Sub-committees of Council, members of Sub-committees of Council and agents engaged in fundraising activities on the College's behalf.

### 4. DEFINITIONS

**Agent:** An external person engaged to assist or represent Jane, such as a consultant or a group approved to fundraise on Jane's behalf.

**Bequest:** A philanthropic provision in a donor's Will that may be expressed as a specific amount, percentage or remainder of the estate.

**College:** Jane Franklin Hall 6 Elboden Street, South Hobart TAS.

**Deductible Gift Recipient:** An organisation that is approved by the Australian Tax Office (ATO) to receive donations that donors can claim as a tax deduction.

**Designated Gift:** A gift where a donor has given specific directions on the purpose for which the gift will be used.

**Gift:** Any voluntary donation or bequest, received monetarily or in-kind.

In accordance with the ATO, the College defines gifts (donations) as:

- a voluntary transfer of money or property where the donor receives no material benefit or advantage; and
- a gift of money or property, which includes financial assets such as shares.

For the purpose of these guidelines, gift types also include real estate, shares, cultural gifts, furniture and household goods, artworks etc. received from donations, bequests, grants from philanthropic organisations and any other gift that satisfies the definition of a gift.

Sponsorship:	Where the donor receives a benefit from a contribution to the College, i.e acknowledgement or other forms of promotion as part of an event or signage.
Staff Member:	Any current member of the Jane Franklin Staff, whether full time, part time or casual and includes residential staff.
Undesignated Gift:	A gift where the donor has made no clear designation as to the method or purpose of expenditure. This term may also be applied to gifts designated to general support of Jane Franklin Hall.

## 5. POLICY

### 5.1 Acceptance

5.1.1 As a Deductible Gift Recipient (DGR), Jane Franklin Hall accepts philanthropic donations in accordance with rules set out by the ATO.

A donation is philanthropic if:

- a) no material benefit or advantage is received by the donor
- b) the transfer is made voluntarily
- c) the transfer is intended to benefit the recipient.

A taxation ruling to assist in determining whether a contribution is a philanthropic gift can be found on the ATO's website ([www.ato.gov.au](http://www.ato.gov.au)).

5.1.2 Jane Franklin Hall does not provide advice on tax matters to donors. Donors are encouraged to seek independent tax advice to suit their own circumstances.

5.1.3 All donations, whether monetary or in-kind are to be made to Jane Franklin Hall with an express or implied intention to support the College's purpose, vision, values or strategic objectives.

5.1.4 Jane Franklin Hall may accept donations on behalf of the College where:

- the donation is consistent with the College's purpose, vision, values or strategic objectives
- the donation does not compromise the values, integrity, reputation or independence of the College
- the donation is ethical, fair and in accordance with all relevant laws, legislation and College policies
- the identity of the donor is known or able to be known
- the donation is adequate to achieve its intended purpose, or the College has expressly agreed to meet any additional costs; and

- any wishes or trust terms attached to the donation are feasible and reasonable for administration by the College, as determined by the Principal.

5.1.5 All donations will be acknowledged promptly in writing

## 5.2 Refusal

5.2.1 Jane Franklin Hall must refuse to accept a donation if acceptance would:

- contravene state and/or federal laws in Australia, including, but not limited to, law regarding equal opportunity and discrimination
- be inconsistent or conflict with the purpose, vision, values or strategic objectives of the College
- create unacceptable conflicts of interest
- result in accepting a gift where there is reasonable belief that the donor is in vulnerable circumstances or lacks capacity to make a decision to donate
- expose the college to unacceptable foreign interference risk
- be of no benefit to, or cause a financial burden for the College
- expose the College to reputational or litigation risk
- compromise the College's independence, quality, integrity or the principles of academic freedom and free speech
- cause any damage to the College, including financial damage
- require any illegal action on the part of the College
- deter other donors to the College; or
- not allow for an alternative future use

5.2.2 Should Jane Franklin Hall refuse a donation, the refusal will be given in writing.

## 5.3 Use of Donations

5.3.1 Where possible, Jane Franklin Hall will use a designated donation for the purpose for which it was intended. Where this is not possible, Jane Franklin Hall's Advancement Manager in consultation with the Principal, will discuss alternative arrangements with the donor. Should the donor not accept alternative options, refusal of the donation will be given in writing.

5.3.2 Where it is not possible to use a donation for the purpose for which it was intended and the donor is deceased, the Advancement Manager in consultation with the Principal will discuss alternative arrangements with the donor's family. When no family can be located or contacted, the matter will be referred to the Committee of the College Foundation for determination.

5.3.3 Where Jane Franklin Hall receives an undesignated donation, it will be allocated to the area of greatest need as determined by the Principal within the parameters of the College's strategic plan.

#### References

- Australian Charities and Not-for-profits Commission – Deductible Gift Recipient, accessed January 2023,  
<https://www.acnc.gov.au/tools/topic-guides/deductible-gift-recipient-dgr>
- Fundraising Institute of Australia – Code of Conduct, accessed January 2023,  
[www.fia.org.au/fia/code](http://www.fia.org.au/fia/code)
- Australian Taxation Office – Taxation Ruling, accessed January 2023,  
[www.ato.gov.au/law/#Law](http://www.ato.gov.au/law/#Law)