COMMITTEE TO REVIEW DONATIONS

Guidelines for the acceptance of donations and research funding

The collegiate University, aware of its position within, and responsibility to, the wider community in which it operates, has drawn up the following guidelines regarding the acceptance of donations and research funding ("funding"). The guidelines comprise a set of specific criteria against which the acceptance or otherwise of potential funding will be assessed, together with more general principles and practices to be observed. The guidelines may be of assistance and interest to those within the collegiate University and to potential and existing funders.

A. Acceptance (or rejection) of donations and research funding

1. Illegal activity:

Funding must be rejected where it has been established, or are there reasonable grounds to suspect that, by accepting the funding:

(a) the University would be acquiring the proceeds of crime or be otherwise involved in money laundering activity;

(b) the University would be accepting a bribe or offering a bribe to the donor or funder;

(c) the University would be involved in terrorist financing activity (including by laundering or simply acquiring terrorist property); and/or

(d) any of the conditions attached would require the University to act illegally in any way.

In no circumstances should any funding be accepted or solicited if there is a reasonable likelihood that the acceptance of such funding might result in the University acting illegally, actual or perceived influence in decision-making at the University or improper behaviour by the University or any of its members.

2. University as a charity:

As a charity, the University must ensure that the acceptance of any funding would not interfere with its core objectives, the provision of teaching and research. The University should also be mindful of the need to promote academic freedom, and that conflicts of interest created by funding arrangements might have the potential to limit the activities of the University. The University should therefore consider whether:

(a) the purposes for which the funding is to be used are known, and, if so, do they fall in whole or in part outside the charitable objects of the University;

(b) accepting the funding might impinge on academic freedom or limit freedom of enquiry; and/or

(c) accepting the funding might create conflicts of interest for the collegiate University and/or the individual beneficiaries of the funding.

If the University decides that acceptance of the funding would not be in its best interests as a University, the University must refuse it.

3. Wider interests of the University:

The University should consider whether acceptance of the funding would be in the best interests of the University. For example, would accepting the funding:

(a) originate from an activity that is unethical, require or promote any activity that is illegal or unethical, or which might have other serious adverse consequences?
(b) create a link, or a perceived link, between the University and any person or entity which has received serious adverse public comment or coverage?

(c) seriously harm the collegiate University’s relationship with other benefactors, research funders, partners, staff, students, or other stakeholders?

(d) otherwise do harm to the reputation of the collegiate University?

Where a funder has a ‘tarnished’ reputation, the University will consider gifts from that funder if the behaviour which led to the funder’s reputation being tarnished has clearly ceased.

4. Tobacco funding:

Funding will not generally be accepted if the potential funder is actively involved in the tobacco industry. See the next page for the tobacco funding guidelines (Cancer Research UK and Wellcome Trust).

5. Legacy gifts (donations only):

For cases where the legacy has not yet been received out of the estate the University should consider the following:

(a) would it be morally wrong to accept the legacy and, if so, do the limited circumstances apply where the University has the requisite power to refuse it?

(b) are there any other grounds on which the legacy could be refused?

6. Use of intermediaries (including donor-advised funds)¹:

Where an intermediary negotiates a donation or funding on behalf of a funder, the identity of the funder must at least be known to, and acceptable to, the Chair of CRD and the Pro-Vice-Chancellor (Development and External Relations) if it is otherwise anonymous. For the avoidance of doubt, this includes donor-advised funds.

7. Subsequent gifts

Although every potential donation 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 approved, any subsequent gift will also be approved unless in the interim there has been a change in circumstance that might affect the University’s decision as to whether to accept the subsequent gift.

B. Reconsidering funding that has already been accepted

Where funding has been accepted, acceptance will be reconsidered by the University if information comes to light about the funder or the funding:

(a) which might have made the funding unacceptable under these guidelines; and

(b) the University could not reasonably have known at the time.

¹ Updated following the meeting on 22 May 2018.
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Further information on the guidelines: tobacco

Both the current guidelines for the acceptance of donations and research funding, and the previous guidelines for the acceptance of donations\(^2\) state that funding will not generally be accepted if the potential funder is actively involved in the tobacco industry\(^3\).

The University's position is informed by Cancer Research UK and the Wellcome Trust:

A. Cancer Research UK

*Code of Practice on Tobacco Industry Funding to Universities*

*Circumstances in which Cancer Research UK may make public comment on tobacco industry funding to universities*

While recognising that certain decisions rest with individual universities, Cancer Research UK feels it has a right and duty to comment in certain situations.

All universities are asked to consider the great harm to public health caused by tobacco, and the damage to their reputation if they accept tobacco industry funds. If a university accepts donations from the tobacco industry, Cancer Research UK considers it has a duty to publicly criticise such funding.

Furthermore, Cancer Research UK applauds those universities which already have a policy not to accept such funds and encourages other universities to follow their lead.

Cancer Research UK believes that no form of association with the tobacco industry is acceptable. Therefore, nothing in this Code shall be taken to imply that Cancer Research UK supports or approves the use of tobacco industry funding for research or any other activities.

*Conditions under which Cancer Research UK funding may be withheld (revised 2014)*

Cancer Research UK has a legitimate right to protect its own research funding where there is likely to be close proximity of its funding to tobacco industry funds.

Cancer Research UK will not provide financial support to those supported by tobacco industry funding. Cancer Research UK will also not provide financial support where those who are, or would be, supported by Cancer Research UK funds are working in such proximity to others supported by tobacco industry funding that there is any possibility or likelihood that facilities, equipment or other resources will be shared. The conditions of this Code, at a minimum, apply at research team level.

The application of this rule would apply to e-cigarette companies which are fully or partially owned by tobacco companies.

However, Cancer Research UK will consider funding research teams in close proximity of those funded by an *independent* e-cigarette company, those in receipt of funding from *independent* e-cigarette companies and those working alongside *independent* e-cigarette companies, where independence for e-cigarette companies is understood as the absence of ownership, funding, or comparable engagement with a tobacco company. Cancer Research UK reserves the right to place additional conditions on applicants to avoid its brand being directly associated with an individual e-cigarette company or individual e-cigarette brands. Cancer Research UK will continue to examine

\(^2\) As agreed by the Committee to Review Donations on 1 February 2016 and 23 June 2009 respectively.

\(^3\) Following the definition used in the Cancer Research UK Code of Practice on Tobacco Industry Funding to Universities, a tobacco company “means a company, entity or organisation (or groups or combinations of the same) whose business other than for an insignificant part (i.e. less than 10% of its revenue), is the development, production, promotion, marketing, or sale of tobacco in any country of the world, or is a subsidiary or a holding company or affiliate of the same. E-cigarette companies, fully or partially owned by the tobacco industry, are also considered tobacco companies under this definition.”
the questions raised by e-cigarettes and by the rapidly changing structure of the e-cigarette industry. Cancer Research UK will therefore regularly review this approach.

Where Cancer Research UK is considering major new funding, association of the university with the tobacco industry will be a key criterion.

**Definition of Tobacco Industry Funding (revised 2018)**

“Tobacco Company” means a company, entity or organisation (or groups or combinations of the same) whose business other than for an insignificant part (i.e. less than 10% of its revenue), is the development, production, promotion, marketing, or sale of tobacco in any country of the world, or is a subsidiary or a holding company or affiliate of the same.

E-cigarette companies, fully or partially owned by the tobacco industry, are also considered tobacco companies under this definition.

The Foundation for a Smoke-Free World was launched in September 2017, with an announcement of US$800 million funding from Philip Morris International (PMI). Although its own communications identify it as an independent organisation, the Foundation’s sole source of funding to date comes from PMI. We therefore consider funding from the Foundation for a Smoke-free World to be Tobacco Industry Funding within the scope of this Code.

Cancer Research UK will have the final decision in any dispute. Policy endorsed by CRUK Scientific Executive Board 2015

http://www.cancerresearchuk.org/funding-for-researchers/applying-for-funding/policies-that-affect-your-grant/code-of-practice-on-tobacco-industry-funding-to-universities

**B. Wellcome Trust**

**Policy on researchers funded by the tobacco industry**

The Wellcome Trust is dedicated to improving health by supporting bright minds in science, the humanities and social sciences, and public engagement.

In view of the overwhelming evidence that both active and passive smoking of tobacco are injurious to health, we are unwilling to fund applications from individuals applying for, holding, or employed under a research grant from the tobacco industry.

https://wellcome.ac.uk/funding/managing-grant/policy-researchers-funded-tobacco-industry