



Leiden University Guidelines on the Acceptance of Gifts

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1. Preamble

Leiden University is one of Europe's leading research universities. Furthermore, its seven faculties, including the Leiden University Medical Center (LUMC), with research clustered into five themes, are among the top in the world. These five themes are: Fundamentals of Science; Health and Wellbeing; Life Sciences; Law, Politics and Administration; and Languages, Cultures and Societies.

Leiden University is a university in two cities. Over the years, our Campus The Hague has emerged as a fully-fledged location with a profile that makes a significant contribution to The Hague as the international city of peace and justice.

Our motto is *Praesidium Libertatis*. In a world in which 'freedom' seems to be becoming less of a given, the University wants to afford its researchers and students the opportunity to get the best out of themselves and make the world a safer, healthier, more sustainable, more prosperous and fairer place – locally, regionally and globally.

The University can look back on many successes, successes that are often due to the tireless efforts of its staff, students and alumni. However, we also have big ambitions for the future. Even more than before, we want to be a fertile environment for excellent research, talent cultivation, student success and quality and innovation in teaching. More than ever, we want to do all we can to ensure that our knowledge has a more visible impact on society.

We as a university want to help make the world a better place. To achieve this aim, financial support from outside more than welcome. The University's Alumni Affairs and Fundraising department is only too willing to discuss with potential donors how their intended donation would best contribute to the University's goals.

2. Ten ethical principles

When raising funds (donations) the University adheres to the international 'Ethical Principles behind the Acceptance of Gifts.'¹ These are ten ethical principles that universities around the world apply to their fundraising. They are as follows:

1. Universities should seek philanthropic support which is aligned with their values, strategic goals and financial needs, as a legitimate, sustained and vital component of their income.

¹

<https://www.case.org/resources/ethical-principles-behind-acceptance-gifts-europe>



2. Ethical guidelines for the acceptance of such donations in any institution should be available in the public domain.
3. Impartial, independent research, scholarship and teaching are the basis for the furtherance of knowledge. Universities should not accept philanthropic donations if this is not clearly understood and accepted by all parties.
4. Universities are charitable bodies and must observe the requirements of charity law and other relevant legislation in relation to the receipt and expenditure of funds. Ultimate responsibility regarding the acceptance and refusal of donations rests with the governing body of each university.
5. Where the authority for the acceptance of donations is delegated to the Vice-Chancellor and other senior academics or officers, that authority should be explicit and the responsibility of those accepting donations to implement the institution's detailed ethical policies and procedures on donations must be clearly understood and consistently applied.
6. Universities should take all reasonable steps to ensure that they are aware of the source of funding for each donation, and have processes in place to satisfy themselves that the funds do not derive from activity that was or is illegal, or runs counter to the core values of impartial, independent research, scholarship and teaching.
7. Discussions with potential donors that are likely to give rise to significant public interest, or which raise complex questions with regard to acceptability, should be considered at the earliest stage possible by the appropriate decision makers who should be fully informed of the purpose and the background to the donation and the source of funds.
8. The legal and reputational rights of potential donors should also be considered as part of any due diligence undertaken in assessing the acceptability of a proposed donation. In this regard, a clear distinction should be drawn between rumour or speculation and matters of confirmed fact or legal finding, whilst also accepting that institutions may wish to consider the reputational risks that could be incurred through public perception of any particular donor.
9. Donors must accept and, for significant donations (as determined by individual institutions), sign appropriate donation agreements to confirm that the management and governance of programmes funded through benefaction rest solely with the university. Individual institutions typically choose, without undermining this core principle, to offer donors opportunities for continuing engagement with the activities that they have funded. Universities should employ their standard procedures relating to recruitment, admissions, hiring, promotion, procurement, management and governance for all research, teaching, outreach, capital development, or student scholarship programmes funded by donations.
10. Universities should have procedures in place for reviewing and reconsidering previous decisions taken in good faith relating to the acceptance of particular donations if subsequent events or the subsequent availability of additional information require it. The response to such circumstances should be transparent and proportionate to the particular circumstances that have arisen.

(CASE Europe: Ethical Principles behind the Acceptance of Donations)



The Leiden University Guidelines on the Acceptance of Gifts provide support in applying these principles when assessing and deciding whether to accept donations. The Guidelines comprise two sections: an assessment procedure and an acceptance procedure.

3. Acceptance procedure

In principle, donations are held by the Praesidium Libertatis Foundation. Donations of up to € 250,000 are accepted or rejected by the President of the Executive Board of the University on behalf of the Board of the Foundation. The President can mandate a specially appointed officer to accept sums up to € 50,000. If a donation has been given for a specific purpose, and if the full sum may be used for this purpose and if the donation will not involve long-term financial management, this can be accepted by the dean of a faculty or the Director of Leiden University Libraries (UBL). The advice of the Director of Alumni Affairs and Fundraising must be sought in advance. Gifts of over € 250,000 are accepted or rejected by the Executive Board of the University.

A written contract is drawn up for donations to the value of € 10,000 or more. Any agreements on evaluation constitute part of this contract. Legacies are only accepted without liability to debts beyond the assets descended. Donations via the Steunleiden.nl crowdfunding platform do not fall within the scope of the obligation to draw up a written contract.

The purpose and term of a donation will be determined in consultation with the donor or his or her representative or descendants; the University will aim for the broadest possible definition of the purpose and the fastest possible use of the donation.

If, after a donation has been accepted, the conditions of acceptance prove not to have been met, a new assessment will take place. This further assessment may lead to the rejection of the donation or to a one-sided revision of the conditions under which the donation was accepted. This also applies if the donor is unexpectedly discredited or falls into disrepute, which could thus harm the University's reputation.

4. Assessment procedure

Before a donation is accepted, an assessment is performed of both the content of the donation and whether the donation and any associated terms and conditions are inconsistent with the aforementioned ethical principles or the University's strategy or core values. The result of this assessment represents a strong recommendation to the person who has been mandated to accept the donation (see above).



For sums *up to a value of* € 250,000, the assessment is performed by the President of the Executive Board of the University, the Dean of the Faculty, or the director of the unit for which the donation is intended. Alumni Affairs and Fundraising always advises on this.

For sums *above* € 250,000, the assessment is performed by an ad hoc committee established by the Executive Board of the University. If this committee requires additional information or advice, it may decide to bring in an external party to ensure that it is able to issue a substantiated recommendation. Alumni Affairs and Fundraising advises on this.

In the event of an *anonymous donation*, the Executive Board of the University at least shall be aware of the identity of the benefactor to allow the assessment to be carried out. The donor may always ask the University not to disclose his or her connection to the donation.

A recommendation is issued to *reject* proposed donations if (i) they contravene Dutch or international law, (ii) their origin is unclear or insufficiently clear, (iii) they amount to a limitation of academic freedom or could in any way lead to an undesired conflict of interests or such an impression or (iv) they could harm the reputation of the University in any way whatsoever.

5. Naming

Buildings, areas, professorial chairs or other activities may be named after a donor. If the donor's name is to be linked to one of these, this may be for a specific period. If a building, area, professorial chair or other activity is to be named after a donor, the committee referred to under 4 always issues a prior recommendation on whether this is admissible.

The University reserves the right to revoke the decision to name a building, area, professorial chair or activity after a donor if, for instance, it becomes apparent that the source of the donation is or was, in full or in part, beyond the scope of the above-mentioned guidelines for acceptance or if there is potential harm to the University's reputation.

6. Concluding remarks

These guidelines apply to donations made to Leiden University and enter into force on 1 August 2019. The University encourages all organisations with which it has close links to follow these guidelines.

The University endorses the Ten Principles of the UN Global Compact:

<https://www.unglobalcompact.org/what-is-gc/mission/principles>.