

Philanthropic Donations Policy

1.0 Purpose

This policy outlines the principles and conditions for acceptable philanthropy activities at Bendigo Kangan Institute (BKI) to ensure funds and donations to the Institute are managed appropriately. The policy further provides guidance on the acceptance and management of philanthropic gifts in cases where specific cultural protocols may apply.

The objectives of this policy are to confirm BKI's position on the management of philanthropic gifts including:

- a. acceptance and use of philanthropic gifts
- b. accountability and oversight of funds raised through best practice donor stewardship, and
- c. classification of philanthropic gifts.

2.0 Scope

This policy applies to all philanthropic gifts received by BKI and includes all portfolios throughout the organisation.

3.0 Legislative Context

Education and Training Reform Act 2006 (Vic) - 3.1.12B Functions of TAFE institutes

Bendigo Kangan Institute Constitution

4.0 Policy Statement

The Australian Tax Office (ATO) approves BKI status as a Deductible Gift Recipient (DGR). The Institute can therefore receive income tax deductible gifts.

BKI encourages, promotes and values engagement with internal and external stakeholders in the BKI community to maximise philanthropic activity at the Institute and in turn, support community outcomes. BKI will always align its philanthropic activities with its strategic goals and values and will foster a culture of transparency and accountability in its philanthropic donation principles.

BKI acknowledges that specific cultural protocols may apply to some philanthropic gifts and will ensure that principals of cultural responsibility are considered in any philanthropic activities.

Executive Owner: Chief Governance and Quality Officer

Doc Custodian: Head of Governance, Risk and Compliance

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4.1 Acceptance of Philanthropic Gifts

Philanthropic gifts will only be accepted when they:

- (a) Align with the Institute's strategic direction, objectives, and values.
- (b) Do not compromise the Institute's reputation and integrity.
- (c) Will not pose an unreasonable administrative and/or financial risk.
- (d) Have been valued and can be received in accordance with relevant compliance obligations.
- (e) Align with the Institute's broader policy and procedure suite including the *Gifts, Benefits and Hospitality Policy and Procedure* and the *Conflict of Interest Policy*.

BKI reserves the right to refuse a philanthropic gift if it considers the gift does not align with the above directions and values.

4.2 Accountability and Oversight of Funds

The Institute commits to ensuring:

- Reports are provided to donors on the financial management and impact of gifts received as agreed between BKI and the donor. This will ensure donors are aware of the impact of funds they have gifted.
- The DGR status of the Institute is protected. This means ensuring that this status is not used inappropriately.
- Acknowledges all philanthropic donations and gifts in a manner consistent with the size and designation of the gift with the donor's wishes clearly documented.
- Receipts are issued for all philanthropic donations.
- Philanthropic donations and gifts will be recorded in the Gifts, Benefits and Hospitality Register and published on the BKI website on an annual basis.
- Acceptance of funds will be subject to a conflict of interest check to ensure identified potential or actual conflicts of interests are managed in accordance with the BKI Conflict of Interest Policy.
- Acceptance of funds will be subject to a financial and administrative risk assessment process.

4.3 Classification of Philanthropic Gifts:

For a gift to be regarded as a philanthropic gift, it must have each of the following features:

- (a) There is a transfer of either money or property with a clear and distinct benefit to BKI and its strategic goals and values, BKI's students and community.
- (b) There is no material benefit to the donor.
- (c) The donation is for philanthropic intent. This means that it does not prohibit the donor from having a commitment or strong interest to the Institute when making a philanthropic gift.
- (d) The donation serves the recipient (BKI's) best interest.

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Philanthropic gifts can be accepted in numerous forms. This includes:

- money
- pledges of money or non-monetary assets
- securities or shares, and
- other non-monetary assets (eg artwork, books, buildings).

5.0 Roles and Responsibilities

Role	Responsibilities
All Portfolios	<p>Must inform Governance, Risk and Compliance on:</p> <ul style="list-style-type: none"> • intended approaches of prospective donors • approaches received from prospective donors as soon as practicable.
Finance	<ul style="list-style-type: none"> • Records, manages and tracks all philanthropic gift receipts.
Head of Governance, Risk and Compliance	<ul style="list-style-type: none"> • Responsible for the implementation of the policy • Provides oversight acts as an advisor for all portfolios regarding philanthropic gift requests and alignment of a proposed decision to accept a philanthropic donation or gift in accordance with the directions and values outlined in this policy.
Chief Executive Officer	<ul style="list-style-type: none"> • Authority to approve the acceptance of a philanthropic donation or gift (charitable) in accordance with the Instrument of Delegation. • Obtains advice on proposed decisions to accept a philanthropic donation or gift from the Head of Governance, Risk and Compliance.
Chief Executive and Growth Officer	<ul style="list-style-type: none"> • Authority to approve the acceptance of a philanthropic donation or gift (charitable) in accordance with the Instrument of Delegation. • Obtains advice on proposed decisions to accept a philanthropic donation or gift from the Head of Governance, Risk and Compliance

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6.0 Definitions

Word/Term	Definition
Cultural protocols	Principles and practices that guide the behaviour of a cultural group. For example, for Aboriginal and Torres Strait Islander Peoples, this includes historical and current customs, practices, traditional practices and cultural observances.
Material benefit	A benefit or advantage of a substantive or significant nature, although it does not have to be financial has a monetary value. Mere recognition or acknowledge of the donation (such as a small plaque or mention in a newsletter/update) does not constitute a material benefit. However, enlarging the acknowledgement into forms of advertising or promotion would be considered a material benefit.
Philanthropic donation / gift	A voluntary transfer of money or property to BKI by way of benefaction where no material benefit is received by the donor. This includes cultural gifts that hold significant cultural meaning and value.
Deductible Gift Recipient (DGR)	<p>A deductible gift recipient (DGR) is an organisation that can receive donations that are tax deductible.</p> <p>If a donation is tax deductible, donors can deduct the amount of their donation from their taxable income when they lodge their tax return.</p>

7.0 Supporting Policy Documents and Forms

Document Name
Gifts, Benefits and Hospitality Policy and Procedure
Instrument of Delegation
Conflict of Interest Policy
Improper Conduct Policy and Procedure

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8.0 Version Control and Change History

Ver.	Issue Date	Document Custodian	Description of Change	Approval Authority
1.0	29 Mar 2023	Head of Governance, Risk and Compliance	New policy	Chief Governance and Quality Officer

9.0 Document Owner and Approval Body

Document Custodian	Approval Authority	Approval Date	Issue Date	Scheduled Review Date
Head of Governance, Risk and Compliance	Chief Governance and Quality Officer	17 Feb 2023	29 Mar 2023	17 Feb 2024

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