

**A Gift Agreement will ensure that major gifts received by schools are secure and that they don't present the school with any unanticipated complications. Here are ten tips for ensuring the gift benefits rather than hinders the school:**

1. As a legally binding document, Gift Agreements create clear obligations for both parties, such as how and when ownership of the gift is secured.
2. The gift may come with considerable "strings" attached, such as a specific project close to the donor's heart or that the capital should be preserved in a certain matter or for a certain length of time, which a Gift Agreement will govern.
3. You might find yourself unable to use the donation as 'general funds' at your discretion if it conflicts with the donor's intention.
4. You must avoid the gift turning into an unusable endowment if the original purpose disappears.
5. A Gift Agreement will help to facilitate the Gift Aid available.
6. A Gift Agreement will specifically exclude creating a Trust which can generate a legacy of potential conflict further down the line.
7. A Gift Agreement will clarify ownership of any intellectual property rights and other benefits generated from a project funded by the donation.
8. A Gift Agreement will foresee specific issues such as external publicity and press releases.
9. A Gift Agreement will limit liability for damage or retain the right to carry out repairs if the donation is something other than money.
10. A Gift Agreement will clarify the timing of any donations particularly where these may be made over a number of years.

Have peace of mind that we have covered these points in a robust Gift Agreement which allows you to use the gift without being fettered.

***This briefing is intended as a summary of legal developments only. It is not a substitute for advice, which will take account of specific circumstances.***

**If you would like to discuss any issue surrounding Gift Agreements, please contact us.**



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