



OPERATION FLORIAN LIMITED

Guide to Fundraising and Collection Boxes

Document Number:	OF Policy 19 GFCB01
Revision Number:	V 1
Review Date:	January 2022
Reviewed by:	Operation Florian Board
Signed by:	

Registered Office: The Fire Station, Ardsheal Road, Worthing, West Sussex, BN14 7RN: Charity Registration No. 1149445
Limited Company No. 7909070

Collecting money or other property

This guidance policy covers collections of money or other property (including goods and regular gifts) for Operation Florian Ltd, whether carried out on the street, house-to-house or on private sites.

This includes secure collection procedures and standards to make sure you respect local people and places. If you plan to carry out charitable collections on public or private sites, you need to be sensitive to the communities you are likely to come into contact with and any permission that you may need to do so.

The law on collecting money or other property varies according to the type and location of the collection. In most cases, for collections on public land you will need a licence or permission to collect from the relevant local authority (or in Northern Ireland, the Police Service of Northern Ireland). On private land, you will need permission from the person responsible for the site.

The controls on public collections apply to collections for charitable purposes, and include collections for benevolent and philanthropic purposes.

Further guidance

You can find further information on the law as it applies to collections: in England and Wales in the **Institute of Fundraising's Fundraising in a public place guidance**, in Scotland in the **Scottish Charity Regulator's (OSCR's) Public Collections and exemptions guidance** and in Northern Ireland in the **Charity Commission for Northern Ireland's Fundraising for Charities guidance**.

1 Behaviour when collecting money or other property

In this section, 'you' means a charitable institution or third-party fundraiser, unless we tell you otherwise.

1.1.

While fundraising, you must not:

- act in any way that might reasonably cause members of the public to be or become startled or anxious;
- act dishonestly or manipulatively, or deliberately try to make a potential donor feel guilty; or

- act in any other way that a reasonable person might consider would damage the charitable institution's reputation. This includes:
 - smoking or drinking alcohol while wearing clothing that contains a charitable institution's branding;
 - taking or being under the influence of illegal drugs;
 - lewd or aggressive behaviour, including swearing, while wearing clothing that contains a charitable institution's branding;
 - putting undue pressure on members of the public to donate;
 - exploiting your position for personal gain (for example, asking for a job, asking someone for a date, or asking for a discount on goods or services); or
 - any other behaviour that harms the reputation of the fundraising profession or the charitable institution you are representing.

1.2.

You must avoid causing an obstruction, congestion and nuisance to the public. You must not deliberately block the path of members of the public.

1.3.

You must treat the locations you are working at or visiting with respect.

1.4.

You must not suggest to any member of the public that the conversation you are attempting to start is not about money or that you are 'not fundraising'.

1.5.

When asking for a regular gift, you must not suggest to any member of the public that it is 'without commitment'.

1.6.

Unless this is authorised under an agreement with a private site, you must not approach members of the public who are:

- seated, unless the seating is part of a charitable institution's promotional stand; or
- in queues, unless the queue is directly related to the fundraising activity.

1.7.

You must not knowingly approach people who are carrying out official duties, such as uniformed officials while they are on duty or people who are clearly working.

1.8.

You must not obstruct, interfere with or disrespect members of staff from local businesses.

2. Licences and permission

In this section, 'you' means a charitable institution or third-party fundraiser, unless we tell you otherwise.

2.1.

If you are a charitable institution collecting on public land, you **must** get a licence or permit from the relevant authority to collect in that area, unless the relevant authority does not require you to hold a licence for your activity.

For more standards on exemptions, see **section 3 Exemptions**.

2.2.

If you are a charitable institution, you **must** apply for licences in good time before the collection is due to take place.

- In Scotland, unless the relevant authority does not require you to hold a licence, you **must** apply for a licence in writing at least one month before your collection (or within any other period the local authority decides).
- In Northern Ireland, for street collections you **must** apply for a licence in writing before the first day of the month before the month in which the collection will take place.

2.3.

You **must** carry out all collections in line with the terms of the relevant permit or licence. You must also make sure that:

- you carry out due diligence to check that a collector is a fit and proper person to collect;
- collectors are at least the minimum age allowed to fundraise in the relevant country and that they meet the obligations they have by law;
- you provide collectors with any official materials or authorisation needed under a licence or permit, such as written authorisation, a certificate of authority, an identity badge, collecting boxes or receipt books;
- you meet any other legal requirements relating to official materials or authorisation; and
- if required (for example, by the person issuing the permit), you are able to provide full details of all collectors in a certain area, including their names, addresses and phone numbers, the precise area to be covered and the exact period during which the collector is authorised to collect.

2.4.

If you are a collector, you **must** meet any legal requirements relating to collecting boxes, certificates of authority and badges.

2.5.

If you are a collector, you **must** only approach people in areas and during operating hours allowed under agreements, licences and permission (unless you agree to a follow-up meeting with a person outside these areas and times).

2.6.

You must make sure that materials include contact details for the charitable institution and the collector, if different.

2.7.

You must make sure that people and, where possible their vehicles, can be clearly identified as representing your charitable institution.

2.8.

You must record the issuing and return of all materials connected with the collection.

In Scotland, the organiser of a collection **must** record the name and address of each collector as well as the number of collecting envelopes issued to them, or the identification number marked on the collecting box given to each collector.

3. Exemptions

In this section, ‘you’ means a charitable institution or third-party fundraiser, unless we tell you otherwise.

3.1.

If you are a charitable institution that:

- has a national exemption order in England and Wales, or an exemption order in Northern Ireland, which means you do not need a licence for house-to-house collections in the relevant country; or
- is an exempt promoter in Scotland, which means you do not need a licence for public charitable collections in that country;

you **must** meet the conditions of that exemption.

Further guidance

- In England and Wales, from the Department for Digital, Culture, Media and Sport: **National exemption order scheme**
- In Scotland, from the Scottish Charity Regulator (OSCR): **Public collections and exempt promoters**
- In Northern Ireland, from the Department for Communities: **House to house charitable collections – exemption orders**

4. Further standards that apply to particular locations and activities

In this section, 'you' means a charitable institution or third-party fundraiser, unless we tell you otherwise.

House-to-house collections

4.1.

You **must not** harass any person or ignore a request to leave or not to return.

4.2.

You must not cold-call in an area where a 'no cold-calling zone' has been created legitimately which means that charitable collections are not allowed.

4.3.

You must not knock on the door of any property that displays a sticker or sign which includes the words 'no cold-calling', 'no cold-callers', 'no charities', 'no charity canvassers' or 'no charity fundraisers'.

4.4.

You must only knock on the front door or main entrance of a property (usually the door that is closest to or most directly accessible from a street), unless a resident asks you to do otherwise.

4.5.

If a building contains several properties and you need permission from a resident in order to access the building, you must not use entry permission given by one resident to then call on other properties in the building. You must get individual permission to enter the building from the resident of every property you visit in the building.

4.6.

You must take extra care when visiting properties after dark. If you are visiting isolated places, you must consider whether the visit could cause anxiety to residents before approaching a property.

4.7.

You must not enter a property unless you have the permission of a resident of the property (or, if the property is occupied by a business, the person in charge at the property on the day of the visit).

4.8.

You must not stop residents from shutting a door of their property (for example, by putting your foot in the doorway).

4.9.

You must not deliver charity collection bags to a property that displays a sticker or sign which includes the words 'no charity bags', 'no clothing bags' or any other words which clearly show that the householder does not want to donate in this way.

4.10.

Alongside any time restrictions for collections that are set out in the licence, you must not fundraise before 9am Monday to Saturday or before 10am on Sundays and public holidays, or after 9pm on any day or date. If you need to call again at a property (two-step collections) the second visit must not take place outside of these times, unless the person at the property asks you to make the collection at a certain time.

4.11.

You must not approach a property in groups of more than two at a time. This includes trainee fundraisers.

4.12.

If you are collecting regular gifts house-to-house (face-to-face fundraising), you must wear an ID badge, that:

- includes your identity as a fundraiser, who you work for and a phone number for the relevant charitable institution or third-party fundraiser;
- is clearly displayed and has not been tampered with;
- is in the form of a badge fixed to the upper front part of your body;
- is at least the size of a credit card;
- is signed or authorised in some other way (for example, with a company seal or stamp) by the agency you work for or the charity you are collecting on behalf of (or both); and
- is accessible for people with sight difficulties (for example, the information on the ID badge could be available in large print).

Further guidance

- Institute of Fundraising: **No cold calling zones and stickers**

Collecting regular gifts (face-to-face fundraising) on the street

4.13.

If you do not need a licence or permit, you must meet IoF site management agreements that are in place with the local authority for regular gift (face-to-face) fundraising on the street.

4.14.

You must be identifiable by the public from a distance of at least five metres. Charity branded clothing:

- must be visible and identifiable;
- must not be tied around your waist or covered by non-charity branded clothing or other property, or be in any way obscured; and
- must be clean and in good condition to make sure the brand can be seen and to protect its reputation.

4.15.

You must wear an ID badge, that:

- includes your identity as a fundraiser, who you work for and a phone number for the relevant charitable institution or third-party fundraiser;
- is clearly displayed and has not been tampered with;
- is in the form of a badge fixed to the upper front part of your body;
- is at least the size of a credit card;
- is signed or authorised in some other way (for example, with a company seal or stamp) by the employing agency or the charity you are collecting on behalf of (or both); and
- is accessible for people with sight difficulties (for example, the information on the ID badge could be available in large print).

4.16.

You must not leave bags unattended on any public road or right of way. A team member must always stay within three metres of the bags and be able to see a 'team bag' (if one is used).

4.17.

You must not begin collecting before 9am Monday to Saturday or 10am on Sundays and public holidays, or continue after 7pm on any day. (If different times are stated in an IoF site management agreement, you must keep to the times in the agreement.)

4.18.

You must not position yourself within three metres of:

- a shop entrance;
- a pedestrian crossing;
- a cashpoint machine;
- a station entrance;
- a market stall; or
- a street trader, vendor or busker.

4.19.

If you have approached a member of the public, you must meet the 'three-step' rule.

- You must not take more than three steps alongside the person or to follow them, even if they ask you to.
- If the member of the public has not come to a stop within the three steps allowed, you must end your attempt to talk to them.

Collections on private land and bookable private sites

4.20.

You **must** have permission from the property owner or manager to collect and **must** keep to the dates, times and areas allowed for collecting.

4.21.

You must record all bookings and include the full name of the person you made the booking with, the dates that were agreed and the type of activity that was agreed. You must keep these records for at least 28 days.

Collecting regular gifts (face-to-face fundraising) on bookable private sites

4.22.

Whenever possible, before beginning work you must introduce yourself to the relevant member of staff responsible for the private site.

4.23.

If the venue or location changes, you must tell the person responsible for your operations before beginning work.

4.24.

You must not work outside the boundaries of the private site as explained by the site owner and, in any case, you must work within sight of the promotional stand, if there is one.

4.25.

When working at high-street locations:

- you must work within one metre of the promotional stand (or equivalent) which must be no more than one metre away from the shop front; and
- your position and the stand must not affect other businesses.

If this standard contradicts or conflicts with any conditions included in an agreement with the relevant site owner or manager, the site agreement will apply.

4.26.

You must wear charity-branded clothing if you do not have a promotional stand. Charity-branded clothing:

- must be visible and identifiable;
- must not be tied around your waist or covered by non-charity branded clothing or other property, or be in any way obscured; and
- must be clean and in good condition to make sure the brand can be seen and to protect its reputation.

4.27.

You must wear an ID badge, that:

- includes your identity as a fundraiser, who you work for and a phone number for the relevant charitable institution or third-party fundraiser;
- is clearly displayed and has not been tampered with;
- is in the form of a badge fixed to the upper front part of your body;
- is at least the size of a credit card;
- is signed or authorised in some other way (for example, with a company seal or stamp) by the employing agency or the charity you are collecting on behalf of (or both); and
- is accessible for people with sight difficulties (for example, the information on the ID badge could be available in large print).

4.28.

If you have approached a member of the public, you must meet the 'three-step' rule.

- You must not take more than three steps alongside the person or to follow them, even if they ask you to.
- If the member of the public has not come to a stop within the three steps allowed, you must end your attempt to talk to them.

If you have successfully started a conversation with a person, you can take more than three steps to escort them to a promotional stand, or to a different part of a promotional stand.

5. Static collections

In this section, 'you' means a charitable institution or third-party fundraiser, unless we tell you otherwise.

Static collections involve the use of collecting boxes which stay in one place – either on the floor or on counters in places such as shops, pubs, hotels, hospitals and reception areas.

If another organisation manages static collecting boxes on your behalf and they receive a payment or other benefit for this activity, it is important that you and they are aware of any responsibilities they may have under Part II of the Charities Act 1992 or Part 2 of the Charities and Trustee Investment (Scotland) Act 2005.

5.1.

If you are the organiser of the collection, you **must** get the permission of the site owner or those with authority to give you permission to hold a static collection on the site. The permission must be in writing.

5.2.

If you are the organiser of the collection, you must give a letter, certificate of authority or badge to anyone you have authorised to collect on your behalf. The letter, certificate or badge should contain information that identifies them as a collector and identifies any organisations carrying out or benefiting from the collection. The specific information that must be included for different categories of collector is as follows.

- For collectors who are directly employed by the charitable institution benefiting or who are acting as 'on-behalf-of' volunteers:
 - the collector's name;
 - the name and contact details of the charitable institution benefiting from the collection; and
 - the name of the organiser (if different to the collector or charitable institution benefiting from the collection).
- For collectors working for a third-party fundraiser:
 - the collector's name;
 - the name and contact details of the third-party fundraiser; and
 - the name and contact details of the charitable institution benefiting from the collection.
- For collectors who are 'in-aid-of' volunteers if the charitable institution knows about the collection and has approved it:
 - the collector's name;
 - the contact details of the organiser;
 - the name of the charitable institution benefiting from the collection; and
 - the name of the organiser if this is different to the collector.

5.3.

If you are the collector, you must have a letter, certificate of authority or badge as described above.

5.4.

If you are the collector, you must show your certificate of authority to the site owner or those with authority to grant permission to hold a static collection on the premises.

5.5.

If you are the collector, you must make it clear to the site owner or those holding a static collection on the premises that if a box is lost or stolen, or if they want to end the collection, they need to contact you (preferably in writing)