

LICENSING REGULATORY COMMITTEE

Amendment to the Site Management Agreement to Control Direct Debit Face to Face Fundraisers

7 June 2012

Report of Licensing Manager

PURPOSE OF REPORT

The report seeks Members' approval of the amendment to include Morecambe in the Site Management Agreement between the Public Fundraising Regulatory Association (PFRA) and Lancaster City Council

This report is public

RECOMMENDATIONS

That the attached updated Site Management Agreement be adopted. (Appendix 1)

1.0 Introduction

- 1.1. Face-to-face fundraising is the personal solicitation (almost always by a professional fundraiser) of a regular charity donation via a direct debit
- 1.2. Unlike cash street collections which are currently regulated by this Committee under the powers contained in the Police .Factories, etc (Miscellaneous Provisions) Act 1916, there are no provisions currently to regulate face to face (direct debit) fundraisers.
- 1.3. Following complaints from members' of the public about face to face collectors, members may recall that at the LRC meeting held on 9 June 2011 a site management agreement between the Public Fundraising Association and Lancaster City Council was approved in relation to face to face collectors in Lancaster. In order to try and ease the situation and provide for some sort of regulation
- 1.4. The Public Fundraising Regulatory Association is the charity-led self-regulatory membership body for all types of face-to-face fundraising.

PFRA has a dual role as a regulator in being the bridge between councils and charities practicing face to face fundraising: maintaining professional standards and ensuring fair allocation of fundraising on the ground.

- 1.5 PFRA maintain and improve professional standards in the face to face fundraising sector by enforcing the Institute of Fundraising's *Face-to-Face Activity Code of Fundraising Practice*, running a mystery shopping programme, and ensuring their members complete an accreditation process. They also have a complaints process that can be initiated by anyone who feels a fundraiser has transgressed the code of practice.

A major part of PFRA's role is to ensure the sustainability of face to face fundraising and ensure that it is practiced in a controlled way. They run a fair and equitable site allocation programme and work with local councils to negotiate 'site management agreements' (SMAs) that contain guarantees about the locations and times that fundraising can take place.

- 1.6 The aim of a Site Management Agreement (SMA) is to facilitate face-to-face fundraising in a given location with the full agreement of the council.

- 1.7 The Site Management Agreement.

- delineates the location in which fundraisers may work. This is very specific.
- Specifies which days of the week fundraisers may attend. The SMA, for instance would preclude fundraisers from working on market days. The SMA allows fundraisers to attend four times a week in 2 locations.
- Specifies how many fundraisers may attend.
- Includes various other criteria and stipulations, such as distances that must be maintained from shop doorways and frontages

The PFRA then runs a diary that ensures only one charity turns up at any one time and operates according to the terms of the SMA and complies with the Institute of Fundraising Face-to-Face Activity Code of Fundraising Practice. A copy of the code is attached at Appendix 2 to this report.

- 1.8 Since the SMA has been in place it has minimised the administration for all concerned, providing just one channel for information, as licensing officers or town centre managers only have to deal with one organisation, the PFRA, instead of dealing with each individual charity and fundraising organisation separately.

With the SMA in place, PFRA assigns the designated sites according to their diary systems to ensure that only one charity fundraises at any given time.

Should PFRA members breach the terms of the SMA – for instance by straying outside the delineated areas or sending too many fundraisers – PFRA offers a single point of contact for the local authority to rectify this, and they state that they can usually ensure SMA breaches are put right within the hour.

- 1.9 The PFRA along with licensing officers agreed to regularly review the agreement to ensure that it remains relevant. It is proposed that Morecambe should be now included in the agreement to ensure that the same procedure applies to those carrying out face to face collections there as to those in Lancaster.

- 1.10 Members are asked to approve this addition.

2.0 Conclusion

- 2.1. Members are recommended to approve the proposed amendment to the Site Management Agreement to include Morecambe.

CONCLUSION OF IMPACT ASSESSMENT

(including Diversity, Human Rights, Community Safety, Sustainability and Rural Proofing)

The proposed amendment to the agreement does not have the potential to cause negative impact or discriminate against different groups in the community based on age, disability, gender, race/ethnicity, religion or religious belief (faith), sexual orientation, or rural isolation.

FINANCIAL IMPLICATIONS

There are no financial implications as a result of this report.

LEGAL IMPLICATIONS

Legal Services have been consulted and have no further comments.

BACKGROUND PAPERS

None

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