

## Review of the Vagrancy Act: consultation on effective replacement

### Consultation response from the Chartered Institute of Fundraising

The Chartered Institute of Fundraising is the professional membership body for fundraising across the UK, with thousands of individual fundraisers as members as well as fundraising charities and partner agencies.

We welcome the opportunity to respond to this consultation and put forward the views of our members. In particular, we would like to clarify the kinds of groups that can carry out fundraising legally and the permissions they need to do so.

If you have any questions about our response or would like to talk further, please contact [charlottes@ciof.org.uk](mailto:charlottes@ciof.org.uk).

#### **Question 8. Are there any other issues that would emerge from repeal of the Vagrancy Act that you think should be considered in bringing forward replacement legislation?**

Point 16 defining begging states that “Begging does not include soliciting donations to a registered charity with the express written authority of that charity”. We don’t believe this accounts for the different groups that are eligible to fundraise, as well as the permissions they need to do so legally.

Although many charitable collections will be raising money for a registered charity, certain charitable organizations are exempt from the charity register but are permitted to fundraise, for example, universities<sup>1</sup>. Other social enterprises, such as CICs, might also carry out fundraising activities.

Similarly, all charitable collections on the street, door-to-door or on private sites will require either a license from the relevant council or permission from the site manager or landowner. Even if a group had written permission from a charity, without the appropriate license or permission they would not be able to fundraise legally.

Finally, whether an individual or group needs written authorization from a charity to carry out a collection depends on their relationship with that charity. The Code of Fundraising practice requires charities to have written agreements with paid third party fundraisers and commercial partners<sup>2</sup>. It does not state, however, that all volunteer groups need written permission<sup>3</sup> to carry out a collection, although in some circumstances it might be required by the council, site manager or landowner.

In order to accommodate the different types of fundraising that can take place on streets, door-to-door and on private sites, we suggest amending the statement to “Begging does not include soliciting donations for charitable purposes, providing those carrying out the collection have the appropriate permissions from the charitable body, local council or site manager and/or owner.”

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<sup>1</sup> <https://www.gov.uk/government/publications/exempt-charities-cc23/exempt-charities>

<sup>2</sup> <https://www.fundraisingregulator.org.uk/code/working-with-others/professional-fundraisers-commercial-participants-and-partners>

<sup>3</sup> <https://www.fundraisingregulator.org.uk/code/working-with-others/volunteers>