

# Site Management Agreement

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Between Institute of Fundraising Compliance  
Directorate and Bath and North East Somerset  
Council / Bath Business Improvement District

# 1. Purpose

The purpose and spirit of this voluntary Site Management Agreement (SMA) is to facilitate responsible face-to-face fundraising in Bath city centre and provide balance between the duty of charities and not-for-profit organisations to fundraise and the rights of the public to go about their business without the impression of undue inconvenience. For the avoidance of doubt, this document does not constitute a legal contract.

Once this agreement is in place it should minimise the administration for the business improvement district and the council, providing just one channel for information and support regarding face-to-face fundraisers, as nominated 'gatekeepers' only have to deal with one organisation, the Institute of Fundraising Compliance Directorate (IoFCD), instead of dealing with each individual charity and fundraising organisation separately.

# 2. Statement of Conformity

All fundraisers will abide at all times by the relevant elements of the Fundraising Regulator's Code of Fundraising Practice, and Rule Book, or face the appropriate penalties.

If Local Authority Officers or Birkenhead Town Hosts note fundraisers contravening the Rule Book or any local clause within the SMA, they will inform the IOFCD's Head of Standards by contacting them on 020 7401 8452, providing details of the incident.

# 3. Access Details

## 3.1. Sites, team sizes, positioning, and frequency

Sites may be used as follows, as shown in the map at Appendix 1:

### **Southgate Street** (Stall Street to St James' Parade)

Capacity: maximum of 2 fundraisers plus a team leader

Positioning: fundraisers to be spread out along the length of the site avoiding the pedestrianised area at the north of the street and the east side of the street

Frequency: Monday

### **Union Street** (Northumberland Place to Westgate St)

Capacity: maximum of 4 fundraisers plus a team leader

Positioning: 2 fundraisers to be located at the north end and 2 fundraisers at the south end of Union Street

Frequency: Tuesday

### **Northgate Street** – (Northgate to High Street – only on the Corridor side of the street)

Capacity: maximum of 2 fundraisers plus a team leader

Positioning: fundraisers to be spread out along the length of the site

Frequency: Wednesday

### **Milsom Street** (from Quite Street and Green Street to the top of Milsom Street joining George Street)

Capacity: maximum of 4 fundraisers plus a team leader

Positioning: 2 fundraisers on either side of the street

Frequency: Thursday

**Stall Street** – (York Street to Lower Borough Walls)

Capacity: maximum of 2 fundraisers plus a team leader

Positioning: fundraisers to be spread out along the length of the site

Frequency: Friday

Saturdays should not be used for fundraising unless agreed in advance with the local authority and the Bath BID. Where fundraisers are found to be working outside of the agreed locations, they must comply with requests made by local authority or BID officials and reposition themselves correctly or as directed on-site.

Only one charity will be present on any one site on any one day.

Fundraising will only be permitted between the hours of 9am and 7pm, unless otherwise specified.

Any exclusion dates (e.g. specific event days) are to be announced by the BID and the council to the IoFCD to be booked into the IoFCD's diary management system, giving a minimum of 4 weeks' notice to the IoFCD from date of diary delivery.

### 3.2. Other Conditions

Team Leaders are to carry the **Access Terms and Conditions (Appendix 3)** and be able to produce this on request while working in Bath city centre (the team is required to stand down until such a time as the Team Leader can produce this document if requested by a local authority or BID officer).

Fundraisers should be positioned in such a way as to offer an adequate 'comfort zone' to those users of the public highway who do not wish to engage. In furtherance of this, it is desirable that a minimum footway channel of 2.5 metres be maintained between fundraisers and the kerb / shop frontage where it is reasonable to do so.

Fundraisers should maintain a reasonable distance (of approximately 3 metres) apart from one another and 6 metres from the frontage of any licensed market/street trader. Every effort should also be made to maintain a reasonable distance of 3 metres from any other legitimate street activities (e.g. street traders, Big Issue sellers, buskers, newspaper stands, promotional activities and market researching).

Fundraisers must adhere to conditions of the Highways Act 1980, where they are working. This prohibits securing, chaining, fixing any objects such as bags, boards or equipment to any street furniture such as lampposts, benches etc.

In the interest of public safety and security fundraisers are not to leave any bags or equipment unattended.

## 4. Information Required

### 4.1. Nominated Gatekeeper

The nominated gatekeeper for the Bath BID is Andy Tapper and his contact details are [Andy\\_Tapper@Bathnes.Gov.UK](mailto:Andy_Tapper@Bathnes.Gov.UK) and 01225 477533. In his absence all enquiries should be made to [Louise.Prynne@bathbid.co.uk](mailto:Louise.Prynne@bathbid.co.uk) or 01225 430640.

### 4.2. Required Information

The IoFCD will maintain and manage the diary schedule. Diary/Schedule information will include: contact details for the agency (if applicable); and charity being fundraised for.

Copies of the diary are to be made available to:

Andy Tapper

Senior Licensing Officer – Street Trading

[Andy\\_Tapper@Bathnes.Gov.UK](mailto:Andy_Tapper@Bathnes.Gov.UK)

01225 477533

Louise Prynne

Chief Executive

[Louise.Prynne@bathbid.co.uk](mailto:Louise.Prynne@bathbid.co.uk)

01225 430640

These contact details shall be updated as and when necessary.

### 4.3. Transition and continuity

Should the nominated gatekeeper move on or responsibilities otherwise change, the gatekeeper will inform his/her successor of the detail of this agreement, the relationship with the IoFCD, arrangements for the regulation of face-to-face fundraising, and provide the IoFCD with contact details for the successor.

## 5. Complaint Management

IoFCD will respond to and seek to resolve all complaints received, and issue penalties according to its rules. The business improvement district and the council will provide real time notification of any complaints it wishes to be resolved immediately and provide sufficient detail for any retrospective complaints to be investigated. Where the collection agencies or the charities themselves receive complaints it is expected that they will provide information to the IoFCD including information about the identity of any individual collector who is subject of a complaint and of the action taken (if any).

Members of the public are encouraged to direct complaints about charity fundraising to the Fundraising Regulator.

## 6. Working Together

Bath BID and Bath and North East Somerset Council agrees to work with the IoFCD to raise awareness regarding this site management scheme, including explaining what face-to-face fundraising is, the IoFCD, the Code of Practice, and facts about Direct Debit.

The IOFCD monitors member organisations, through a programme of random spot-checks, responding to complaints, and other mechanisms, to ensure fundraisers' adherence to the Code of Fundraising Practice, the Rule Books, and Site Management Agreements. The IOFCD can give appropriate penalties or sanctions to those not abiding by the rules.

This SMA will be reviewed 6 months after it is signed, and then once every 12 months, if necessary, or earlier if there is just cause to do so. All amendments will be agreed in writing before becoming effective. Either party can withdraw from this agreement, giving 3 months' notice in writing.

Depending on when this agreement is signed, in relation to the IoFCD's bidding/allocation cycle, there will be a lead-time of up to 8 weeks before the agreement can be fully implemented.

Signed For and On Behalf Of IoFCD:



Nick Henry, Head of Standards

Date:

4/10/2016

Signed For and On Behalf Of Bath & NE  
Somerset Council:



Print name:

Andy Tapper

Job title:

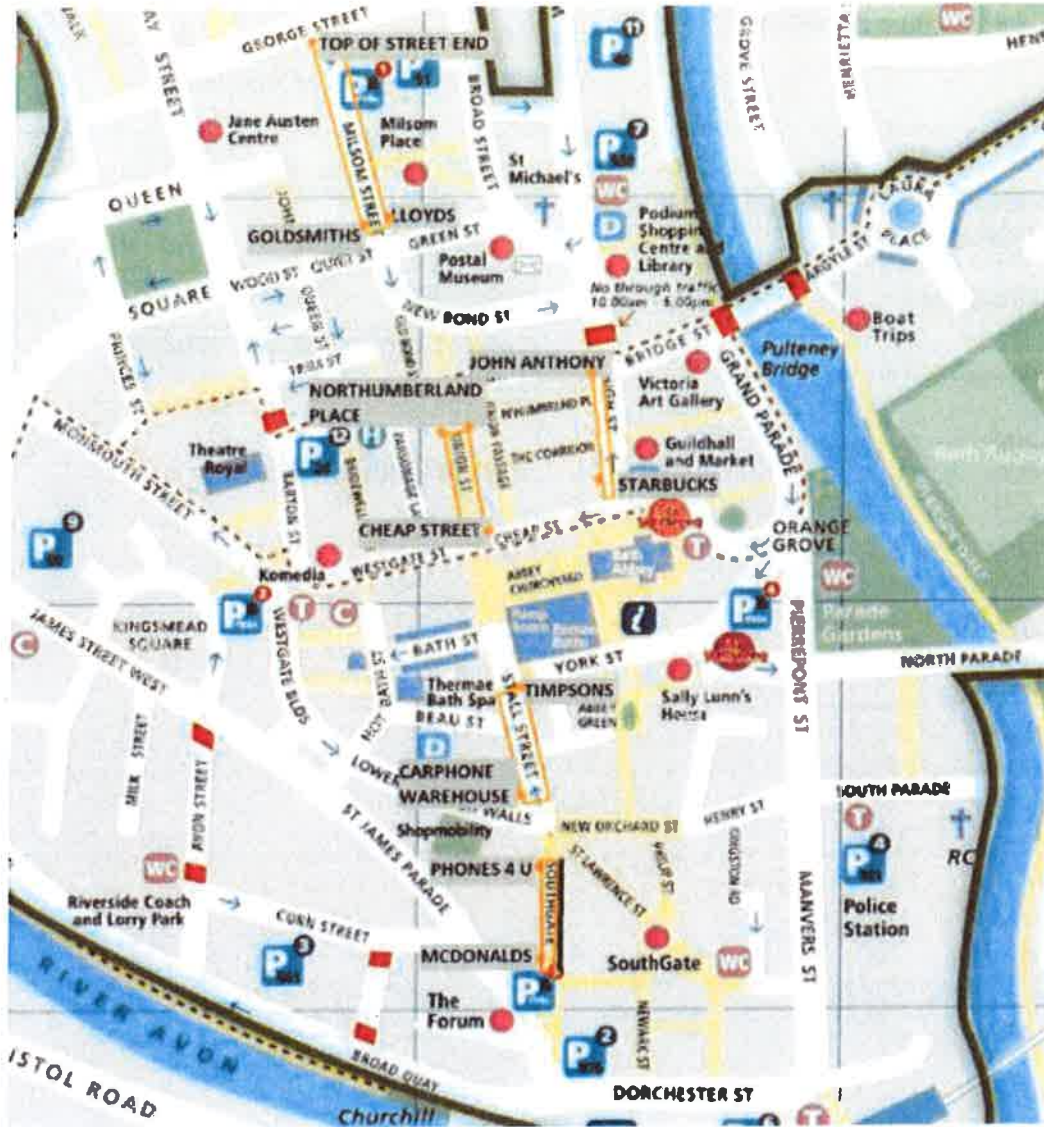
Senior Licensing Officer - Street  
Trading

Date:

04/10/2016

# Appendix 1 - Map

Plan showing the areas where fundraising is to be permitted:



## Appendix 2 - Direct Debit Guarantee

### **Know your rights - The Direct Debit Guarantee**

Direct Debit is one of the safest ways of making charitable donations. Organisations using the Direct Debit Scheme go through a careful vetting process before they're authorised, and are closely monitored by the banking industry. The efficiency and security of the Scheme is monitored and protected by your own bank or building society.

The Direct Debit Scheme applies to all Direct Debits. It protects you in the rare event that anything goes wrong.

### **The Direct Debit Guarantee**

- The Guarantee is offered by all banks and building societies that accept instructions to pay Direct Debits.
- If there are any changes to the amount, date or frequency of your Direct Debit the organisation will notify you (normally 10 working days) in advance of your account being debited or as otherwise agreed. If you request the organisation to collect a payment, confirmation of the amount and date will be given to you at the time of the request.
- If an error is made in the payment of your Direct Debit, by the organisation or your bank or building society, you are entitled to a full and immediate refund of the amount paid from your bank or building society.
  - If you receive a refund you are not entitled to, you must pay it back when the organisation asks you to.
- You can cancel a Direct Debit at any time by simply contacting your bank or building society. Written confirmation may be required. Please also notify the organisation.

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## Appendix 3 – Access Team and Conditions

Team Leaders are to carry this with them when fundraising and be able to produce this on request while working in Bath city centre (the team is required to stand down until such a time as the Team Leader can produce this document if requested by a local authority or BID officer).

Fundraisers must adhere to conditions of the Highways Act 1980, where they are working. This prohibits securing, chaining, fixing any objects such as bags, boards or equipment to any street furniture such as lampposts, benches etc. In the interest of public safety and security fundraisers are not to leave any bags or equipment unattended.

Sites	Maximum Number of Fundraisers	Positioning	Days
<b>SOUTHGATE STREET -</b> (Stall Street to St James' Parade)	<b>2 + Team Leader</b>	Fundraisers are to be evenly spaced along the length of the site avoiding the north end of the street and the east side of the street.	Monday
<b>UNION STREET -</b> (Northumberland Place to Westgate St)	<b>4 + Team Leader</b>	2 fundraisers to be located at the north end of the street and 2 fundraisers at the south end.	Tuesday
<b>NORTHGATE STREET -</b> (Northgate to High Street – only on the Corridor side of the street)	<b>2 + Team Leader</b>	Fundraisers are to be evenly spaced along the length of the site.	Wednesday
<b>MILSOM STREET -</b> (Quite Street and Green Street to the top of Milsom Street joining George Street)	<b>4 + Team Leader</b>	2 fundraisers on either side of the street.	Thursday
<b>STALL STREET -</b> (York Street to Lower Borough Walls)	<b>2 + Team Leader</b>	Fundraisers are to be evenly spaced along the length of the site.	Friday

# Map

