

Site Management Agreement between PFRA and Burnley Borough Council

The purpose and spirit of this voluntary Site Management Agreement (SMA) is to facilitate face-to-face fundraising in Burnley town centre and provide balance between the rights of charities or 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 all concerned, providing just one channel for information and support, as nominated 'gatekeepers' only have to deal with one organisation, the PFRA, instead of dealing with each individual charity and fundraising organisation separately.

Statement of Conformity

All fundraisers will abide at all times by the Institute of Fundraising Face-to-Face Activity Code of Fundraising Practice, the PFRA / Institute of Fundraising abridged code of practice (Appendix 1), and any rules promulgated by the PFRA from time to time.

Access Details

1) Central Sites may be used as follows, as shown in the map at Appendix 2:

Curzon St:

Market Stairs to Bankfield

Capacity: maximum of 2 branded/working fundraisers

St James St:

Chancery Walk to Fleet Walk

Capacity: maximum of 2 branded/working fundraisers

A branded, identifiable, but non-fundraising Team Leader is allowed in addition to the total maximum of 4 fundraisers.

- 2) Fundraisers should be positioned in such a way as to offer an adequate 'comfort zone' to those users of the locality who do not wish to engage and should endeavour at all times not to impede the egress of any member of the public. In furtherance of this, fundraisers should remain within the central parts of the pedestrianised areas, indicated by the darker grey paving (and parallel rows of lamp posts on St Jame St). Fundraisers will not fundraise in any of the demarcated Town Centre Promotional Event Areas or Licensed Street Trading Pitches (Appendix 2).
- 3) Fundraisers are at no point to be within 6 metres of the frontage of any licensed market/street trader or 3 metres of any shop entrance. Every effort must be expended to maintain a reasonable distance of 3 metres between fundraisers and any other legitimate street activities (e.g. Big Issue sellers, newspaper stands, buskers, promotional activities and market researchers).
- 4) Where fundraisers are found to be working outside of the agreed locations, they must comply with requests made by Local Authority Officers and reposition themselves correctly or as directed on-site. Failure to do so may result in future fundraising visits being suspended by the PFRA for an appropriate duration as agreed with the gatekeeper, or other penalties or sanctions being imposed according to rules promulgated by the PFRA.
- 5) Fundraising will only be permitted on Tuesdays and Thursdays in the Town Centre, between the hours of 9am and 7pm, unless otherwise specified. Only one PFRA approved charity will be present on any one day.
- 6) Exclusion Dates etc are to be announced by the Council (e.g specific event days) and must be pre booked as part of the PFRA Diary Management System. Any exclusion dates to give a minimum of 4 weeks notice to the PFRA from date of diary delivery.
- 7) All fundraisers must wear official tabards or other official distinctive clothing to enable shoppers and other pedestrians to identify them from a distance. All fundraisers must wear official identity cards clearly visible on the upper body with personal details and photograph of the fundraiser in accordance with the activity being undertaken at the time.

Information Required

1) Nominated Gatekeeper

The nominated gatekeeper for Burnley Borough Council is Colin Hill, Head of Markets and Town Centre Management and in their absence all enquiries should be made to Peter Henderson, Head of Licensing.

2) Required Information

The PFRA Allocations Officer will maintain and manage the diary schedule. Diary/Schedule information will include: contact details for PFO; and Charity being fundraised .

Copies of the diary are to be made available to:

Colin Hill, (Markets and Town Centre Manager)
Curzon Street,
Burnley BB11 1AZ,
Tel (01282) 477300
e-mail: chill@burnley.gov.uk

Peter Henderson, (Licensing Manager)
Burnley Borough Council
18 - 20 Nicholas Street,
Burnley, BB11
Tel 01282 425011
e-mail: phenderson@burnley.gov.uk

Eugene Dennison, (Town Centre Coordinator)
Curzon Street
Burnley BB11 1AZ
Tel (01282) 477188
email: edennison@burnley.gov.uk

These contact details shall be updated as and when necessary.

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 PFRA, arrangements for the regulation of face-to-face fundraising, and provide the PFRA with contact details for the successor.

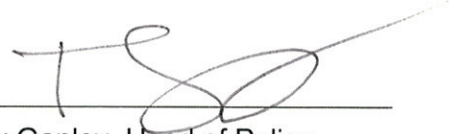
Complaint Management

PFRA will log, monitor and inform the Council of complaints received on an annual basis, if requested. The Council will provide real time notification of individual complaints and cumulative volume on an annual basis. Where the collection agencies themselves receive complaints it is expected that they will provide information to the PFRA including information about the identities of any individual collector the subject of a complaint and of the action taken (if any) by the collection agency.

Working Together

- 1) The local authority agrees to work with the PFRA to raise awareness regarding this site management scheme, including explanations on what face-to-face fundraising is, the PFRA, the Code of Practice, and facts about Direct Debit.
- 2) The PFRA will monitor member organisations, through a programme of random spot-checks and other mechanisms, to ensure fundraisers' adherence to the code of practice and Site Management Agreements, from time to time.
- 3) Burnley Borough Council will be notified of the results of any spot checks carried out.
- 4) This SMA will be initially be reviewed at the end of six month from the start of the agreement and there after once every 12 months unless there is just cause to do so at an earlier juncture. All amendments will be agreed in writing before becoming effective. Either party can withdraw from this agreement, giving 3 months' notice in writing.
- 5) This agreement will be implemented from Monday 9th January 2012.

Signed For and On Behalf Of PFRA:




Dr Toby Ganley, Head of Policy

Date:

9.12.11

Signed For and On Behalf Of Burnley
Borough Council:



Print name:

Mr. Colin Hill

Job title:

Head of Markets & Town Centre
Management

Dated:

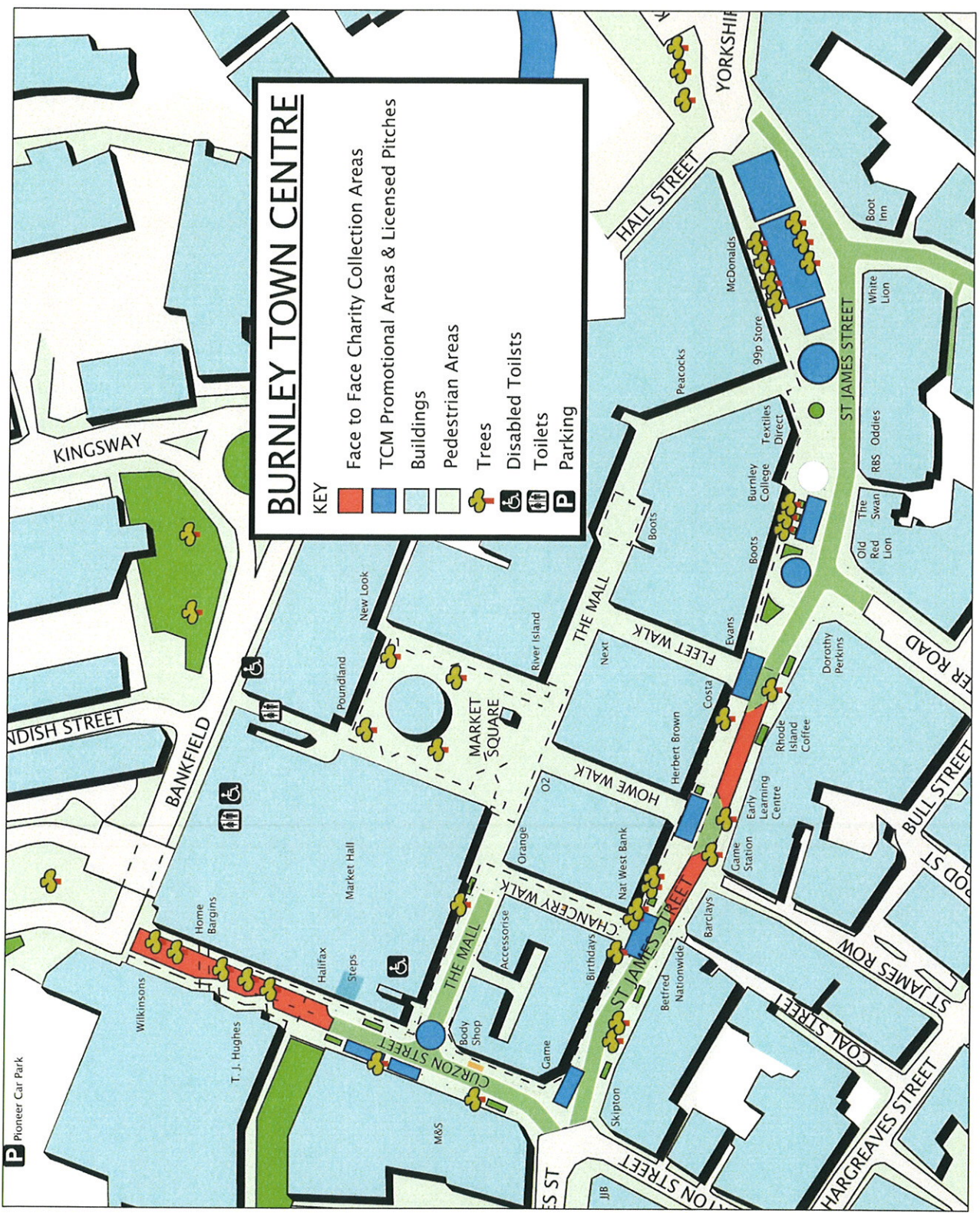
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Appendix 1 – Abridged Code of Practice

- 1) We always tell potential donors clearly that we are paid to speak with them, and that we are not volunteers - if this is the case - and we explain the basis on which we are paid.
- 2) We always carry and display ID so that any potential donor can verify who we are, whom we are working for and on whose behalf we are fundraising.
- 3) We always represent our charity or Not for Profit Organisation (NPO) at the time, in the place, and in the manner that has been previously agreed both with the charity / NPO and with the relevant site owner or Local Authority, and as directed by our team leader or other responsible agency personnel.
- 4) We always explain to a donor how the Charity or NPO will communicate with them after subscribing, and if they are likely to receive a follow up phone call we inform them of this.
- 5) We always ensure that forms with personal details provided by donors are handled at all stages in a secure manner.
- 6) We always end a conversation in a polite and respectful manner as soon as we are asked to.
- 7) We always ensure, wherever possible, that if a member of the public has a complaint, a full and accurate record of the complaint and the complainant's contact details are taken so that action can be taken promptly and appropriately. We will also offer the complainant contact details for a person in authority who can respond to their concerns.
- 8) We never say or do anything that could pressurise or harass people and we do not use manipulative techniques.
- 9) We never confuse or mislead the public and we never say, do or display anything for which we have not been given permission by the charity or NPO
- 10) We never behave whilst on duty in any way that might bring the charity / NPO or our employer into disrepute.

Appendix 2

Plan showing the area(s) where fundraising is to be permitted:



Dedicated to Quality, Integrity and Transparency in Public Fundraising

Unit 11 Europoint, 5-11 Lavington Street, Southwark, London SE1 0NZ

www.pfra.org.uk

Appendix 3

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.