

Site Management Agreement

Between PFRA and Leeds City Council

Purpose

The purpose and spirit of this voluntary Site Management Agreement (SMA) is to facilitate responsible face-to-face fundraising in Leeds 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 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 PFRA, instead of dealing with each individual charity and fundraising organisation separately.

Statement of Conformity

All fundraisers will abide at all times by the relevant elements of the Institute of Fundraising's [Code of Practice](#), and the PFRA's [Rule Book](#), or face the appropriate penalties.

Access Details

1.1 Sites, team sizes, positioning, and frequency

Sites may be used as follows, as shown in the map at Appendix 2.

NB: the following sites exclude intersections

Kirkgate (orange on map):

Pedestrianised area from Fish St to Vicar Lane

Positioning: Fundraisers are to be evenly spaced along the length of the site

Capacity: maximum of 2 fundraisers and a Team Leader

Frequency: Mondays, Wednesdays, and Fridays

Lands Lane (blue on map):

From Albion place (River Island) to The Headrow, excluding intersection with Albion Place

Capacity: maximum of 2 fundraisers and a Team Leader

Positioning: Fundraisers to be evenly spaced

Frequency: Mondays, Wednesdays, and Fridays

Briggate St (purple on map):

From House of Fraser to Zara; and from Albion Place (Body Shop) to The Headrow

Capacity: maximum of 4 fundraisers and a Team Leader

Positioning: 2 fundraisers are to be located at the top of the street and 2 at the bottom, evenly spaced. **No fundraisers to work in the event space (marked by bollards) between Albion Place and Commercial St, or the intersections with Albion Pl or Commercial St**

Frequency: Mondays, Wednesdays, and Fridays

Albion Place (green on map):

From Albion St to Briggate, excluding intersections with Albion St, Lands Lane, and Briggate

Capacity: maximum of 4 fundraisers and a Team Leader – 2 fundraisers are to be located at each end of the street, evenly spaced

Positioning: Fundraisers are to avoid the event space near the Albion St end of Albion Place

Frequency: Tuesdays and Thursdays

Bond St / Commercial St (red on map):

Bond St from Lower Basinghall St to Albion St and Commercial St from Albion St to Lands Lane, excluding intersections with Albion St and Lands Lane

Capacity: maximum of 4 fundraisers and a Team Leader – 2 fundraisers are to be located on Bond St and 2 on Commercial St

Positioning: Fundraisers working on Commercial St are to position themselves in the central channel of the pedestrianised area marked by the gutter-line to avoid working too close to shop-fronts

Frequency: Tuesdays and Thursdays

No fundraising is to take place on Saturdays and Sundays. Fundraisers will only fundraise in Leeds City Centre between the hours of 9am and 6pm, unless otherwise specified.

Access details are summarised in Appendix 3.

Where fundraisers are found to be working outside of the agreed locations, they must comply with requests made by Local Authority Officials and reposition themselves correctly or as directed on-site.

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

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

1.2 Other Conditions

All Team Leaders must be familiar with access conditions for Leeds City Centre, as set out in this agreement. They must carry the Access Terms and Conditions including the team briefing check-list (Appendix 3). Team Leaders are required to brief their team on the terms and conditions of access in Leeds City Centre before beginning fundraising, and check off the list accordingly. Team Leaders are required to be able to produce both the summary and the completed check-list upon the request of any Leeds City Council employee. If they are unable to do so they are required to stand their team down until this is rectified.

Team Leaders are required to phone Stuart Featherstone on 07891271798 (or the City Centre Management 0113 247 4471 if he is unavailable) to confirm that they have briefed their team before starting fundraising in Leeds City Centre.

Team Leaders are required to keep a record of when they have carried out checks on their team's positioning etc that can be referred to if there are issues with the team's compliance with this agreement.

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. Fundraisers are not to work within 3 metres of a shop frontage. Fundraisers will not fundraise in any of the demarcated Event Spaces.

Fundraisers should maintain a reasonable distance (of approximately 3 metres) apart from one another and any other legitimate street activities (e.g. 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.

Fundraisers should be aware that Leeds City Council will prosecute littering with on the spot fines.

Information Required

1.3 Nominated Gatekeeper

The nominated gatekeeper for Leeds City Council is Stuart Featherstone on 07891271798 or 01132474714

1.4 Required Information

The PFRA 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:

John Ebo, Deputy Head of Service – City Centre Management, Leeds City Council

email: John.Ebo@leeds.gov.uk

Stuart Featherstone, Senior Liaison Officer, Leeds City Council

email: Stuart.Featherstone@leeds.gov.uk

These contact details shall be updated as and when necessary.

1.5 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 respond to and seek to resolve all complaints received, and issue penalties according to its rules. 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 PFRA including information about the identity of any individual collector who is subject of a complaint and of the action taken (if any).

In the event that any complaint is unable to be resolved to the satisfaction of the complainant, said complainant is advised to report the complaint to the Fundraising Standards Board ([FRSB](http://www.frsb.org.uk)).

Working Together

Leeds City Council agrees to work with the PFRA to raise awareness regarding this site management scheme, including explaining what face-to-face fundraising is, the PFRA, the Code of Practice, and facts about Direct Debit.

The PFRA monitors member organisations, through a programme of mystery shopping, random spot-checks, responding to complaints, and other mechanisms, to ensure fundraisers' adherence to the code of practice, PFRA Rules, and Site Management Agreements.

Representatives of the PFRA and Leeds City Council will meet quarterly (if necessary) to discuss how the agreement is working and any changes that might be beneficial. 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 PFRA'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 PFRA:



Dr Toby Ganley, Head of Policy

Date:

22.03.13

Signed For and On Behalf Of Leeds City Council:

Print name:



S. FEATHERSTONE

Job title:

SENIOR CITY CENTRE LIAISON OFFICER

Dated:

22.03.13

Appendix 1 – 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.

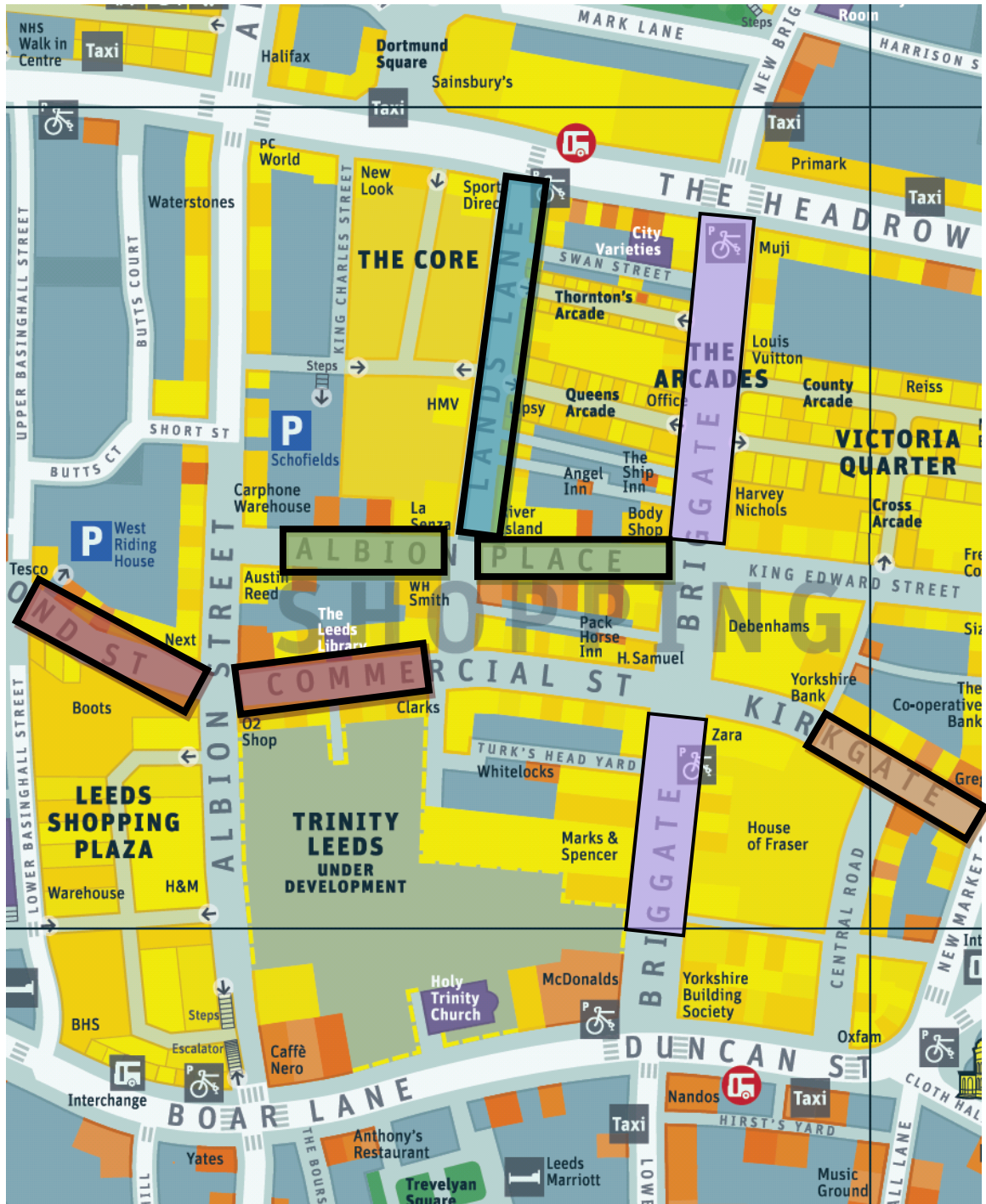
The Direct Debit Scheme applies to all Direct Debits. It protects you in the rare event that anything goes wrong.

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.

Appendix 2 - Map

Plan showing the area where fundraising is to be permitted:



Appendix 3 - Access Terms and Conditions

NB this section of the agreement, including the completed Check-List, must be carried by Team Leaders when working in Leeds City Centre and be able to be produced upon the request of any employee of Leeds City Council. If the Team Leader is unable to do so, their team must stand down until that is rectified.

Access conditions - summary

Team Leaders must:

- be familiar with access conditions for Leeds City Centre, as set out in this agreement
- carry the Access Terms and Conditions (Appendix 3) and team briefing check-list, and be able to produce these on request while working in Leeds City Centre (team are required to stand down to rectify this if the Team Leader is unable to produce these documents)
- brief their team on the terms and conditions of access to Leeds City Centre before beginning fundraising, and check off the list accordingly
- phone Stuart Featherstone on 07891271798 (or the City Centre Management 0113 247 4471 if Stuart is unavailable) to confirm that they have briefed their team before starting fundraising in Leeds City Centre
- keep a record of when they have carried out checks on their team's positioning etc that can be referred to if there are issues with the team's compliance with this agreement

Fundraisers are not to work within 3 metres of a shop frontage

Fundraisers will not fundraise in any of the demarcated Event Spaces.

Fundraisers should maintain a reasonable distance (of approximately 3 metres) apart from one another and any other legitimate street activities (e.g. Big Issue sellers, buskers, newspaper stands, promotional activities and market researching)

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

Fundraisers are not to leave any bags or equipment unattended.

Fundraisers should be aware that Leeds City Council will prosecute littering with on the spot fines.

Fundraisers will only fundraise in Leeds City Centre between the hours of 9am and 6pm, unless otherwise specified.

Where fundraisers are found to be working outside of the agreed locations (see Site Summary, below), they must comply with requests made by Local Authority Officials and reposition themselves correctly or as directed on-site.

Sites Summary

Sites	Maximum Number of Fundraisers	Positioning	Days & Times
<p>KIRKGATE Pedestrianised area from Fish St to Vicar Lane Marked orange on map</p>	2 + Team Leader	Fundraisers are to be evenly spaced along the length of the site	Monday Wednesday Friday ONLY
<p>LANDS LANE From Albion place (River Island) to The Headrow, excluding intersection with Albion Place Marked blue on map</p>	2 + Team Leader	Fundraisers are to be evenly spaced along the length of the site	Monday Wednesday Friday ONLY
<p>BRIGGATE From House of Fraser to Zara; and from Albion Place (Body Shop) to The Headrow No fundraisers to work in the event space (marked by bollards) between Albion Place and Commercial St. Marked purple on map</p>	4 + Team Leader	2 fundraisers are to be located at the top of the street and 2 at the bottom, evenly spaced	Monday Wednesday Friday ONLY
<p>ALBION PLACE From Albion St to Briggate, excluding intersections with Albion St, Lands Lane, and Briggate Fundraisers are to avoid the event space near the Albion St end of Albion Place Marked green on map</p>	4 + Team Leader	2 fundraisers are to be located at the top of the street and 2 at the bottom, evenly spaced	Tuesday and Thursday ONLY
<p>BOND STREET / COMMERCIAL STREET Bond St from Lower Basinghall St to Albion St and Commercial St from Albion St to Lands Lane, excluding intersections with Albion St and Lands Lane Marked red on map</p>	4 + Team Leader	2 fundraisers are to be located on Bond St and 2 on Commercial St Fundraisers to remain within the central channel of the pedestrianised area of Commercial St	Tuesday and Thursday ONLY

Team Briefing Check-List

Have you explained to your team:

- the details of the site and required positioning to your fundraisers (see Site Summary, above)
- Where fundraisers are found to be working outside of the agreed locations (see Site Summary, above), they must comply with requests made by Local Authority Officials and reposition themselves correctly or as directed on-site.
- Fundraisers are not to work within 3 metres of a shop frontage
- Fundraisers are not to fundraise in any of the Event Spaces
- Fundraisers are to maintain a reasonable distance (of approximately 3 metres) apart from one another and any other legitimate street activities (e.g. Big Issue sellers, buskers, newspaper stands, promotional activities and market researching)
- Fundraisers must not secure, chain or fix any objects such as bags, boards or equipment to any street furniture such as lampposts, benches etc.
- Fundraisers are not to leave any bags or equipment unattended
- Leeds City Council will prosecute littering with on the spot fines
- Fundraisers will only fundraise in Leeds City Centre between the hours of 9am and 6pm

Have you:

- phoned Stuart Featherstone on 07891271798 (or the City Centre Management 0113 247 4471 if Stuart is unavailable) to confirm that you have briefed your team before starting fundraising in Leeds City Centre

Do you have a:

- copy of the summary and this check-list available to show to a council official on their request
- way to record when you have carried out checks on your team's positioning etc that can be referred to if there are issues with the team's compliance with this agreement