

Site Management Agreement between PFRA, Liverpool City Central BID, and Liverpool City Council

The purpose and spirit of this voluntary Site Management Agreement (SMA) is to facilitate face-to-face fundraising in Liverpool city 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 minimize 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

- 1) 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 3:

Church Street

From Basnett St to Paradise St

Capacity: maximum of 5 fundraisers

Bold Street

From Hanover St to Newington

Capacity: maximum of 5 fundraisers

- 2) Additional sites will be considered at, and on the basis of, the first review of this SMA (to take place 6 months after it is signed and implemented).

Frequency

- 3) Fundraising will only be permitted on Mondays, Wednesdays, and Fridays in the City Centre on the agreed sites between the hours of 10am and 7pm. The PFRA allocation system ensures members are allocated use of these sites equitably.
- 4) 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.
- 5) There may be occasions when an unscheduled event (demonstration or protest march) will mean that a site is unavailable. In this event fundraisers will be instructed to vacate the area and no alternative location will be provided.

Other Conditions

- 6) Fundraisers will 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 will endeavour at all times not to impede the egress of any member of the public. In furtherance of this, it is a requisite that a minimum footway channel of 1.8 meters be maintained between fundraisers and the kerb / shop frontage.
- 7) All fundraisers must wear official tabards or other official distinctive clothing that enable shoppers and other pedestrians to identify them from a distance.
- 8) 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. Any duly authorised council official, police officer or City Central representative, can inspect this identification.
- 9) Fundraisers will not collect in the City Centre Promotional Event Spaces (Appendix 5), or within 2 metres of demarcated Big Issue Vendor sites (Appendix 4).
- 10) Should any "works" be required within the area of a nominated site, the area of the works will be unavailable for fundraising. Should such works render an entire site unavailable; an alternate site will be discussed. The definition of "works" will include statutory undertakings, excavations or the development of adjacent

buildings or structures, or any other work, being determined as reasonable by the City Council. The nature of emergency works will mean that little or no notice may be available about a site becoming unavailable at times.

- 11) In accordance with the Highways Act 1980, at no time should any furniture be placed on the highway at any location (including tables displaying literature relevant to the Charity) without a license issued under that Act.

Information Required

Nominated Gatekeeper

- 1) The nominated gatekeeper will be Mim Whitfield of City Central Business Improvement District, and her contact details are: mim.whitfield@liverpool.gov.uk, 0151 233 2216. In her absence all enquiries should be made to Tracey.crosbie@liverpool.gov.uk.

Required Information

- 2) The PFRA Allocations Officer will maintain and manage the diary schedule. Diary/Schedule information will include: contact details for the agency (if applicable); and charity being fundraised for.
- 3) In addition to the above named gatekeepers, copies of the diary are also to be made available to:

LCC Licensing Officer, Yvonne Willcock
E-mail: Yvonne.willcock@liverpool.gov.uk

Liverpool Business Crime Manager, Tony Jopson
E-mail: tony.jopson@liverpoolchamber.org.uk

- 4) These contact details shall be updated as and when necessary.

Transition and continuity

- 5) Should the nominated gatekeeper move on or responsibilities otherwise change, the gatekeeper will inform his 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

- 1) PFRA will respond to and resolve any complaints received, and inform the BID of such complaints on a quarterly basis. The BID/Council will endeavour to provide

real time notification of individual complaints for the PFRA to action report and cumulative volume on a quarterly basis.

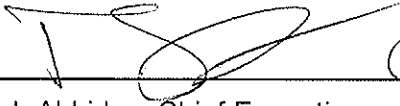
- 2) Where the collection agencies themselves receive complaints it is expected that they will provide information to the PFRA and the Council including information about the identities of any individual collector the subject of a complaint and of the action taken (if any) by the collection agency.
- 3) Members of the public, city centre residents, businesses and stakeholders, can log on to <http://www.engageliverpool.com/> to register any complaints that they may have regarding this activity.

Working Together

- 1) The local authority and Liverpool City Central agree to work with the PFRA to raise awareness regarding this site management scheme, including explanations of what face-to-face fundraising is, the PFRA, the Code of Practice, and facts about Direct Debit.
- 2) Fundraisers will cooperate with any reasonable enquiries being made by an authorised council official, police officer or City Central representative.
- 3) The PFRA will monitor member organisations, through a programme of random spot-checks, to ensure fundraisers' adherence to the code of practice and this Site Management Agreement.
- 4) Liverpool City Council and City Central will be notified of the results of any such spot checks carried out.
- 5) This SMA will be trialed for a period of six months, from the commencement date there will be a review after the initial six month trial, and subject to agreement by all parties we will incorporate any amendments, which will be agreed in writing before becoming effective, with a view to continue with a further 12 month SMA, to be reviewed 6-monthly. Either party can withdraw from this agreement, giving 3 months' notice in writing.

Signed For and On Behalf Of the PFRA:

PP

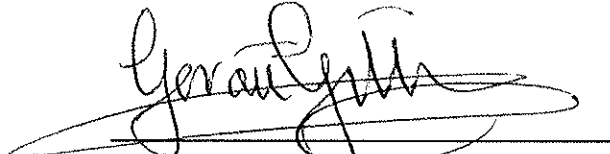

Mick Aldridge, Chief Executive



Dated:

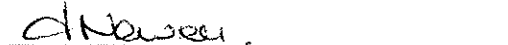
15.08.11

Signed For and On Behalf of
Liverpool City Central BID :


Ged Gibbons, Chief Executive

Dated: 

Signed For and On Behalf Of Liverpool
City Council:


Jill Newell, Head of Licensing

Dated:

11/8/11.

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 pressurize 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 – Procedure for handling complaints against face-to-face fundraisers in Liverpool City Centre

- 1) When the PFRA receives a complaint it will:
 - Notify the organisation named in the complaint about the nature of the complaint.
 - Require the organisation to investigate and provide an initial report to the PFRA within 48 hours.
 - Relay the results of the investigation to the complainant, including any disciplinary action that might be taken against individual fundraisers.
 - Determine whether the complainant is satisfied with the resolution.
 - If yes, the matter is closed.
 - If no and the complainant presents more information or challenges the account given by the named organisation, the PFRA will ask the named organisation to respond to the new information. It will be at PFRA's discretion when the PFRA considers the complaint can be taken no further. If the complainant is still not satisfied with the resolution, PFRA will refer the complainant to the Fundraising Standards Board.
 - If no because the complainant is not satisfied with the resolution, PFRA will refer the complainant to the Fundraising Standards Board.
 - Where the complaint relates to active behaviour or practices, the PFRA will seek to resolve them in real time by liaising with the interested parties.
 - Where the complaint is substantiated and relates to repeated or severe breaches of the Code or this SMA the PFRA will consider restricting access to the site where the complaint was generated for the agency or in-house operator found to be at fault for a defined period (usually either one week, one fortnight, or one month) depending on the circumstances.
- 2) The PFRA is currently developing a penalties and sanctions policy that it will apply in circumstances where complaints are substantiated and parties are found to have breached the Code or an SMA. This policy will be incorporated into this SMA once it has been approved by the PFRA Executive Board.
- 3) For more information please refer to the PFRA's current full complaints procedure: http://www.pfra.org.uk/professional_standards/pfra_complaints_procedure/

Appendix 3

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

[insert map]



BOLD STREET AREA
CHARITY COLLECTORS-LOCATIONS

Data Management & Plans, Property & Asset Management Services, Regeneration
 Millennium House, Victoria Street, Liverpool L2 20H tel. 233 6742

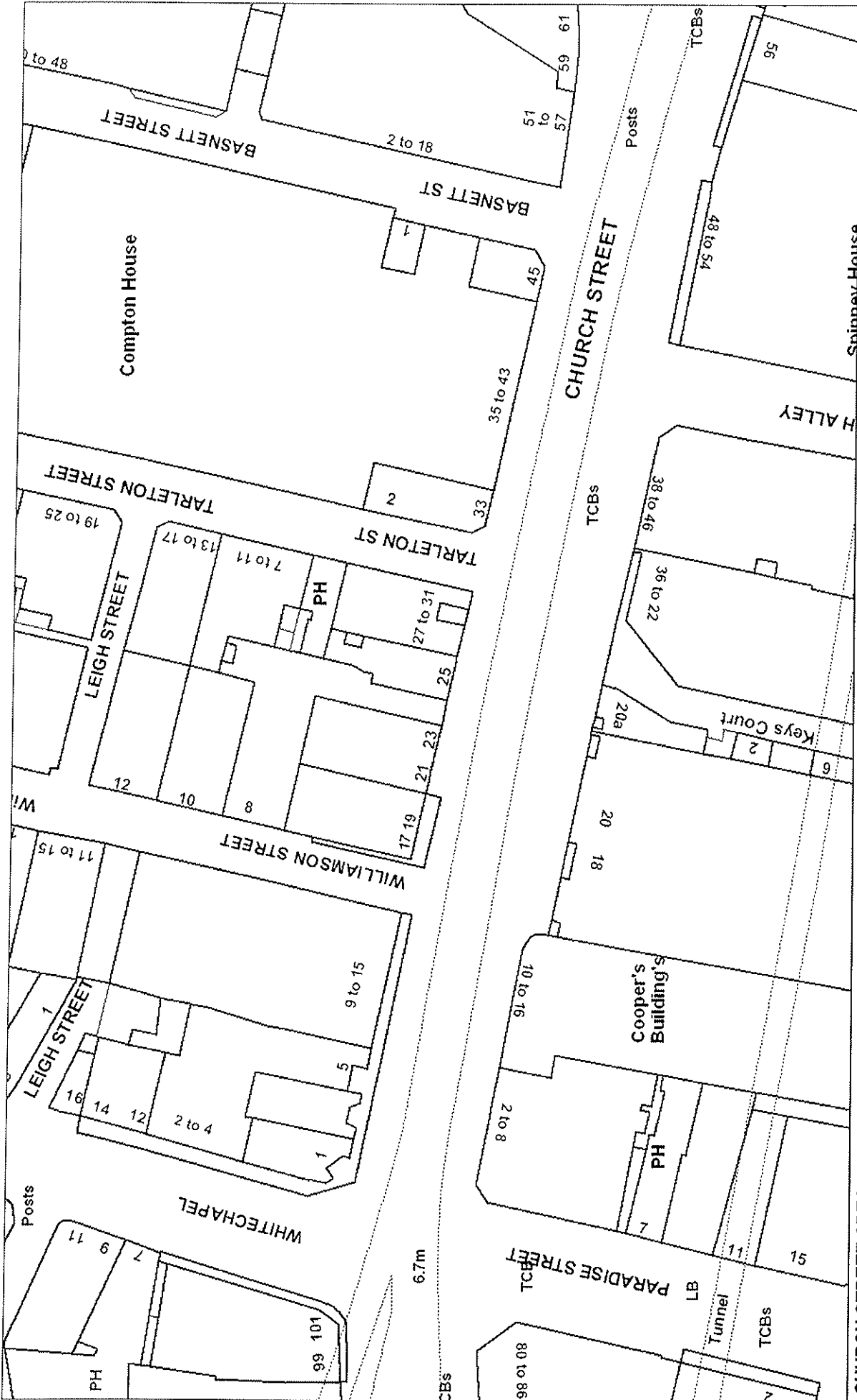
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Date: 10.08.2011
 Scale: 1:897

STATUS:
DRAFT

The City of Liverpool
 2011





Church Street Area
Charity Collectors - Locations

Date: 10-08-2011
 Scale: 1:578

Status: **DRAFT**

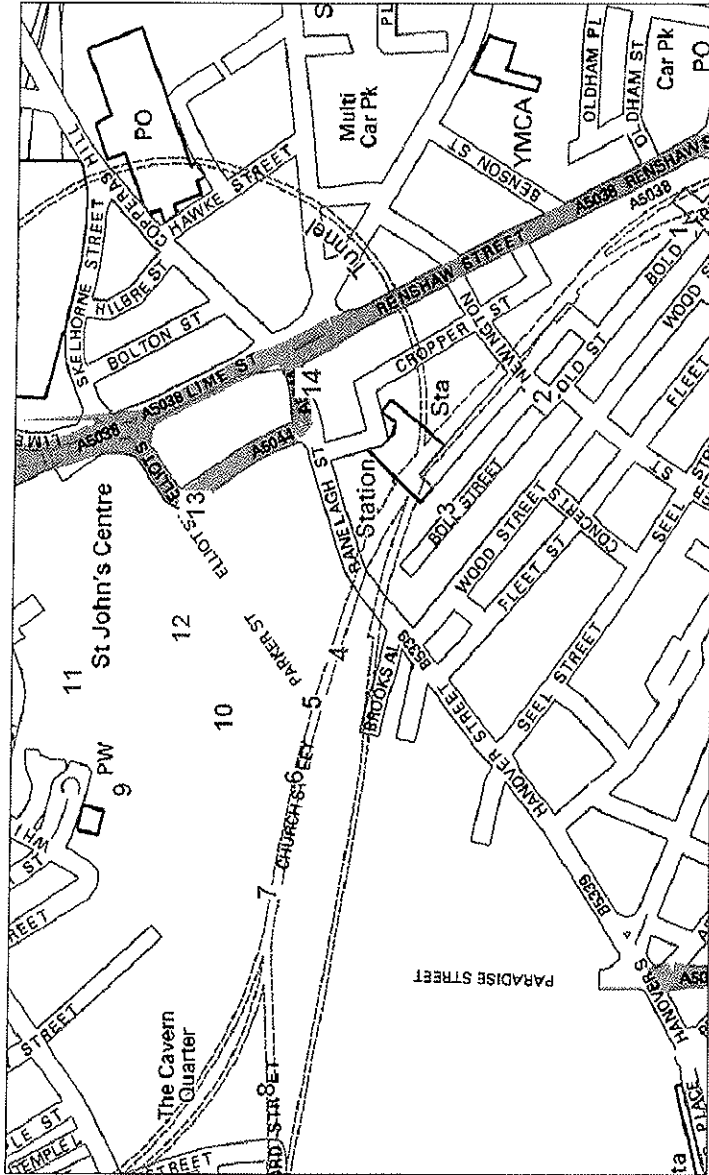
The City of Liverpool
 L69 2ZJ
 2011

Data Management & Plans, Property & Asset Management Services, Registration
 Millennium House, Victoria Street, Liverpool L2 2DH tel. 233 6712

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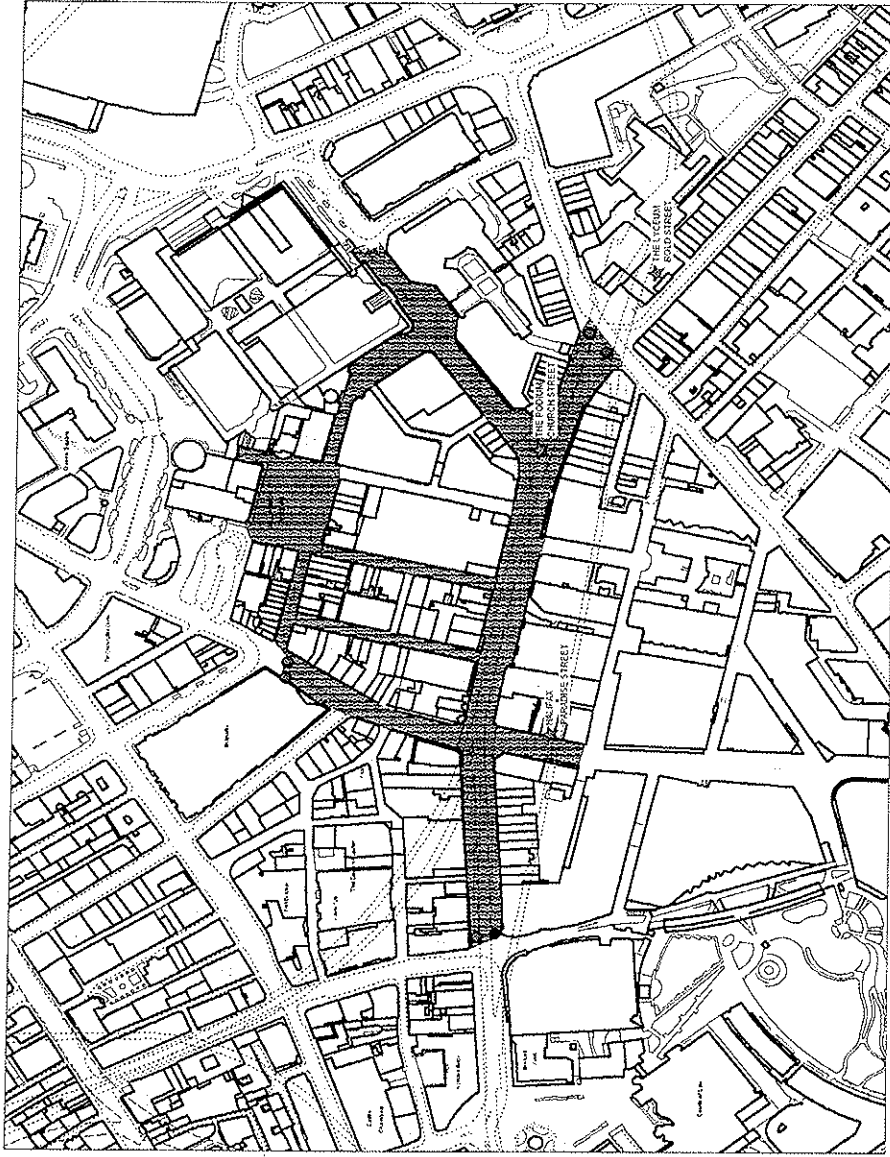
Big Issue City Centre Pitches



1. Bold Street (News from Nowhere)
2. Bold Street (Yates)
3. Bold Street (Entrance to railway station)
4. Church Street (No. 41)
5. Corner of Parker Street / Church Street
6. Church Street (M&S)
7. Church Street (River Island)
8. Lord Street (B.H.S)
9. Williamson square & Richmond Street Junction
10. Basnett Street (M&S entrance)
11. Roe Street (Iceland)
12. Houghton Street (Rapid entrance)
13. Gt Charlotte Street (By Steps)
14. Renshaw Street (under Lewis's statue)

Appendix 5

Plan showing the area(s) where Commercial Events are permitted:



Appendix 6

Know your rights - The Direct Debit Guarantee

Direct Debit is one of the safest ways of paying your bills. Organisations using the Direct Debit Scheme go through a careful vetting process before they are 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.