



Public Fundraising *Regulatory* Association

May 2013

Site Management Agreement

Site Management Agreement

Between PFRA and Maidstone Borough,
Sevenoaks District, and Tunbridge Wells
Borough Councils

Prepared by: **Dr Toby Ganley**
Head of Policy

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1 Purpose

The purpose and spirit of this voluntary Site Management Agreement (SMA) is to facilitate responsible face-to-face fundraising in Maidstone, Sevenoaks, and Tunbridge Wells town centres and provide a 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.

2 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.

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:

Maidstone:

Pedestrianised area of Week St from St Faith's Street to just before Earl Street and from just after Earl Street to High St, fundraisers are excluded from the square at the junction of Week Street and Earl Street

Capacity: maximum of 5 fundraisers and 1 Team Leader

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

Frequency: any 3 days per week not including Fridays or Saturdays

Sevenoaks:

High St from the Pembroke Road/Suffolk Way cross roads to Buckhurst Lane

Capacity: maximum of 4 fundraisers including a Team Leader

Positioning: fundraisers to be spread out

Frequency: any 2 days per week not including Fridays or Saturdays

Tunbridge Wells:

Calverley Precinct – pedestrianised area of Calverley Rd between Camden Rd and Grosvenor Rd

Capacity: maximum of 5 fundraisers and 1 Team Leader

Positioning: fundraisers to be spread out along the length of the site and to work within the central channel of the street, marked by the gutter line in the paving

Frequency: any 3 days per week not including Fridays or Saturdays

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 in any one town centre 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 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.

3.2 Other Conditions

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 1 metre 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 any other legitimate street activities (e.g. Big Issue sellers, buskers, newspaper stands, promotional activities, and market researching).

4 Information Required

4.1 Nominated Gatekeeper

The nominated gatekeeper for the Licensing Partnership Claire Perry and her contact details are claire.perry@sevenoaks.gov.uk. In her absence all enquiries should be made to licensing@sevenoaks.gov.uk or 01732 227004.

4.2 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:

Administration Team

email: licensing@sevenoaks.gov.uk

Tunbridge Wells Borough Wells Licensing Team

email: licensing@tunbridgewells.gov.uk

Maidstone Borough Council Licensing Team

email: licensing@maidstone.gov.uk

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

5 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](#)).

6 Working Together


Maidstone Borough, Sevenoaks District and Tunbridge Wells Borough Councils agree 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 random spot-checks, responding to complaints, and other mechanisms, to ensure fundraisers' adherence to the code of practice, PFRA Rules, and Site Management Agreements. The PFRA 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.

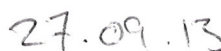
Depending on when this agreement is signed, in relation to the PFRA's bidding/allocation cycle, there will be a lead-time of up to 8 weeks before the agreement can be fully implemented.

Signed For and On Behalf Of PFRA:



Dr Toby Ganley, Head of Policy

Date:



Signed For and On Behalf Of Maidstone
Borough, Sevenoaks District and
Tunbridge Wells Borough Councils:

Print name:

E. Perry.

Job title:

LICENSING PARTNERSHIP MANAGER

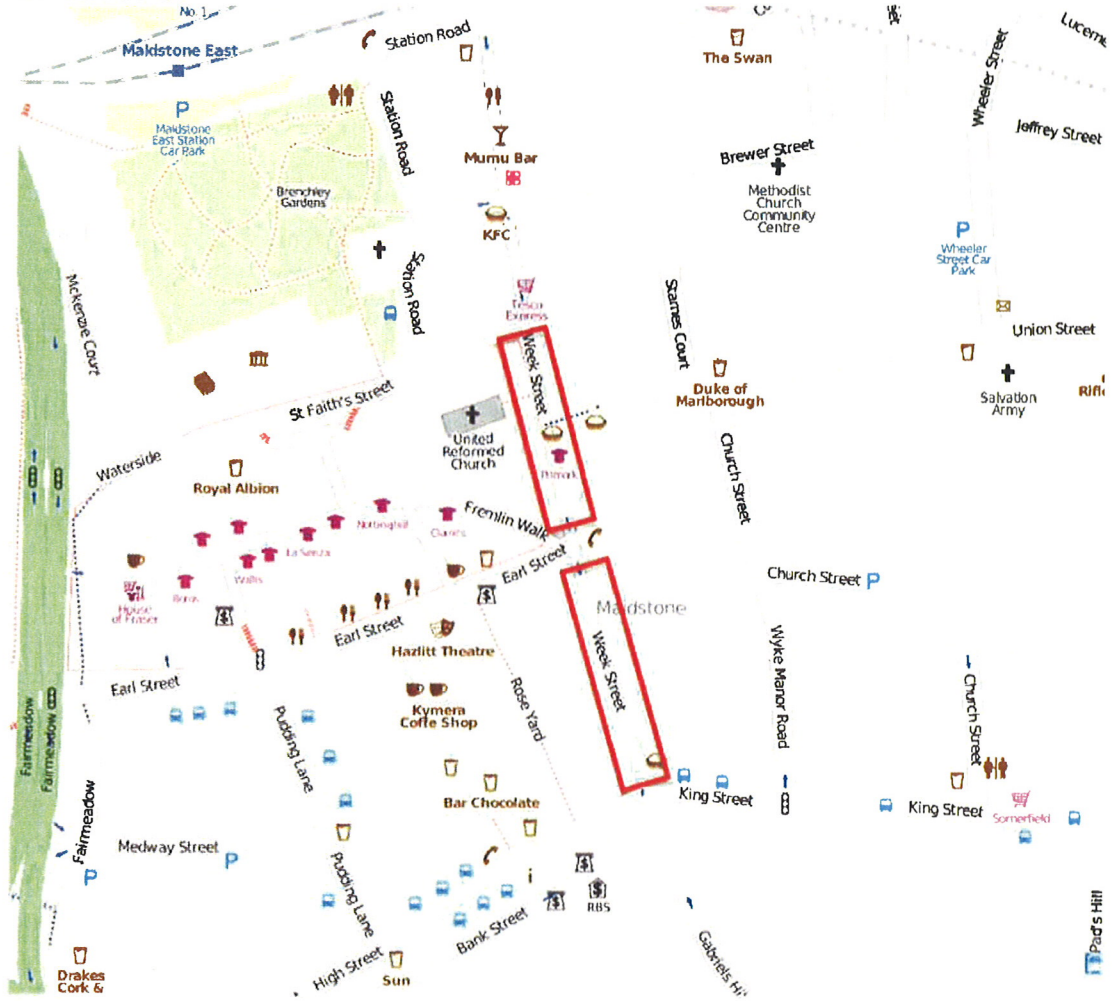
Dated:

27th September 2013

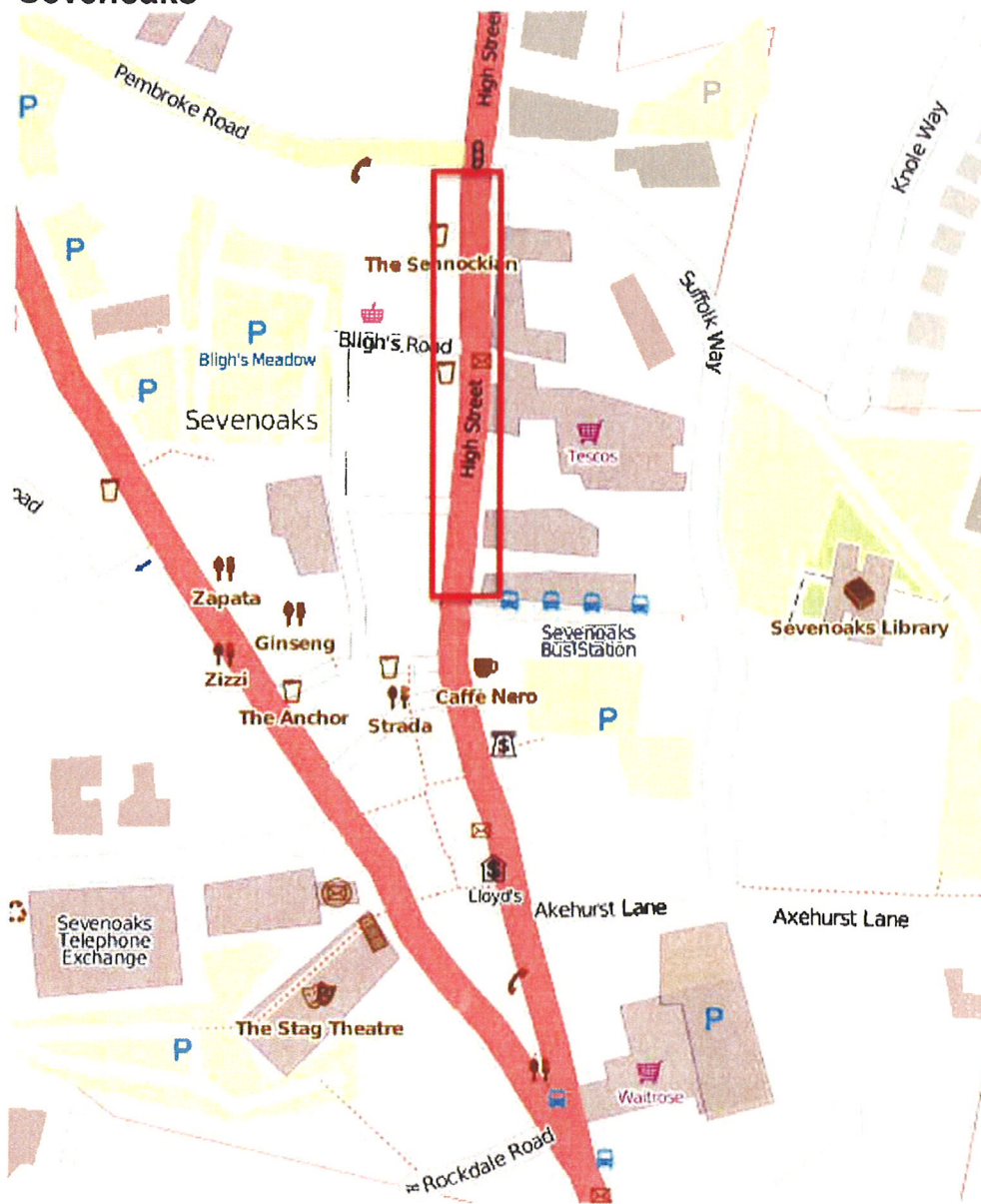
Appendix 1 - Maps

Plan showing the areas where fundraising is to be permitted:

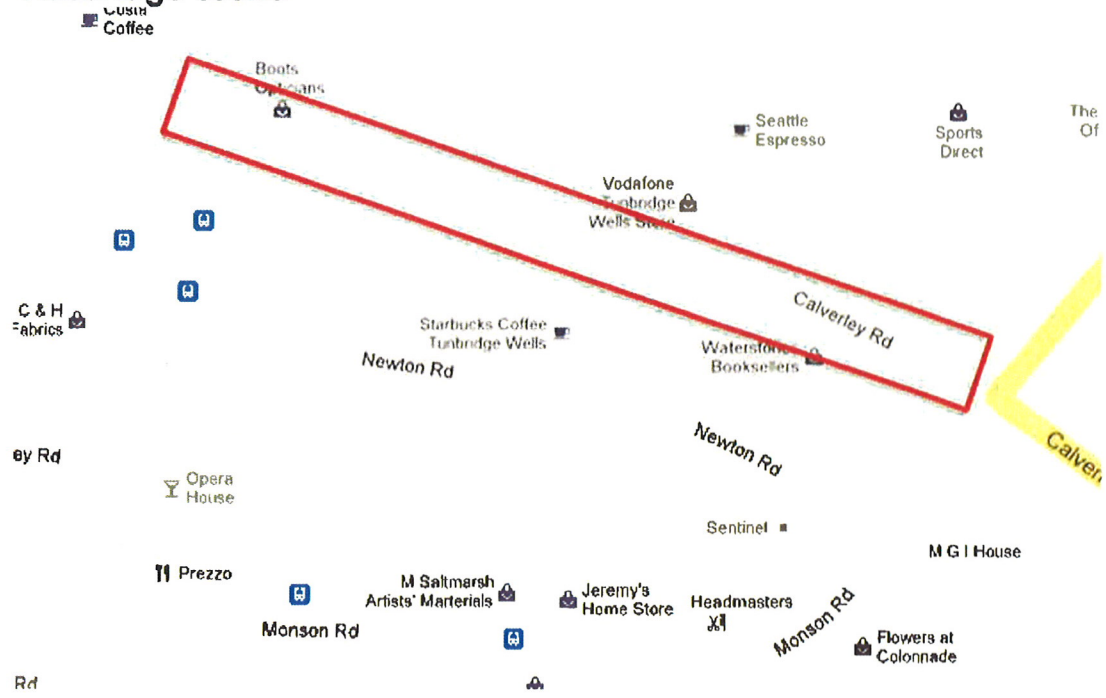
Maidstone



Sevenoaks



Tunbridge Wells



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.