



Public Fundraising **Regulatory** Association

August 2013  
**Site Management Agreement**

# Site Management Agreement

Between PFRA and St Helens Council

# 1 Purpose

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The purpose and spirit of this voluntary Site Management Agreement (SMA) is to facilitate responsible face-to-face fundraising in St Helens town 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.

## 2 Statement of Conformity

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

If local authority officers note fundraisers contravening the PFRA's Rule Book or any local clause within the SMA, they will inform the PFRA's Head of Standards by contacting them on 020 7401 8452, providing details of the incident.

## 3 Access Details

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

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

#### Church Street:

Pedestrianised area between Hardshaw Street and Bridge Street, remaining at least 4 metres from shop entrances

Capacity: maximum of 2 branded/working fundraisers

Frequency: Mondays, Tuesdays, and Thursdays, between 10am and 6pm

#### Ormskirk Street:

Wide pedestrianised area near the junction of Baldwin and Cotham Streets, remaining at least 4 metres from shop entrances

Capacity: maximum of 2 branded/working fundraisers

Frequency: Mondays, Tuesdays, and Thursdays, between 10am and 6pm

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 St Helens on any one day.

Fundraising will not be permitted on bank holidays or Christmas Eve. Special events during which fundraising will not be permitted will be reported to the PFRA with a minimum of 4 weeks' notice.

### **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 St Helens town 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 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 1 metre be maintained between fundraisers and the kerb / shop frontage where it is reasonable to do so.

Fundraisers are not to be positioned within 6 metres of any licensed street trader. 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.

## **4 Information Required**

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### **4.1 Nominated Gatekeeper**

The nominated gatekeeper for St Helens Council is Lorraine Simpson and her contact details are [LorraineSimpson@sthelens.gov.uk](mailto:LorraineSimpson@sthelens.gov.uk) or 01744 675349. In her absence all enquiries should be made to Gary Maddock, [garymaddock@sthelens.gov.uk](mailto:garymaddock@sthelens.gov.uk) or 01744 676731.

### **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:

Lorraine Simpson, Strategic Events Manager, St Helens Council

Email: [LorraineSimpson@sthelens.gov.uk](mailto:LorraineSimpson@sthelens.gov.uk)

Gary Maddock, Events Team, St Helens Council

Email: [garymaddock@sthelens.gov.uk](mailto:garymaddock@sthelens.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

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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).

Members of the public are encouraged to direct complaints about charity fundraising to the Fundraising Standards Board ([FRSB](#)).

## 6 Working Together

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St Helens 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 Fundraising 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 Fundraising 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:

22 August 2013

Signed For and On Behalf Of St Helens Council:

Print name:

ROBERT CHARLES HERWORTH

Job title:

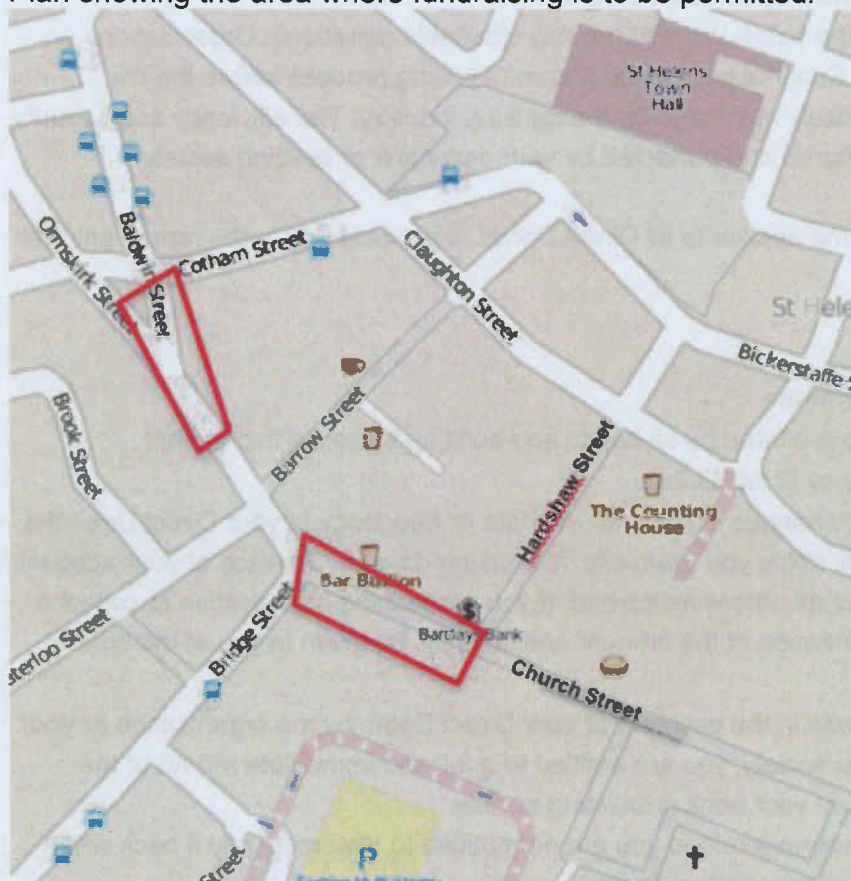
DIRECTOR

Date:

2ND SEPTEMBER 2013

## Appendix 1 - Map

Plan showing the area where fundraising is to be permitted:



## **Appendix 2 - Direct Debit Guarantee**

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### **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 3 – Access Terms and Conditions

Team Leaders are to carry the Access Terms and Conditions (**Appendix 3**) and be able to produce this on request while working in St Helens town 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 officer).

Sites	Maximum Number of Fundraisers	Positioning	Days & Times
<b><u>CHURCH STREET</u></b>	2	Pedestrianised area between Hardshaw Street and Bridge Street, remaining at least 4 metres from shop entrances	Monday, Tuesday and Thursday between 10am and 6pm
<b><u>ORMSKIRK STREET</u></b>	2	Wide pedestrianised area near the junction of Baldwin and Cotham Streets, remaining at least 4 metres from shop entrances	Monday, Tuesday and Thursday between 10am and 6pm





