

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



SITE MANAGEMENT AGREEMENT

This Agreement dated the *fourteen of September* 2010

Is made between

- (1) THE PUBLIC FUNDRAISING REGULATORY ASSOCIATION ("PFRA") of Unit 11 Europoint, 5-11 Lavington Street, Southwark, London SE1 0NZ and
- (2) WESTMINSTER CITY COUNCIL ("the Council") of the Westminster City Hall, 64 Victoria Street, London SW1E 6QP.

1. Statement of Conformity

All fundraisers will abide at all times by the Institute of Fundraising's Code of Fundraising Practice for Face-to-Face Activity (abridge version attached as Appendix 2) and City of Westminster Guidelines (attached as Appendix 3).

2. Access Details

Fundraisers will stand on the public footway in the locations as attached in the schedule, Appendix 1.

Fundraisers are not to obstruct shop entrances or, where possible, be within 2 metres of shop entrances; or, where street-trading is permitted, be within 10 metres of any licensed market trader or al-fresco dining (where not physically possible fundraisers are to be sensitive to the needs of such licensed traders/premises).

3. Team Size

Except where stipulated otherwise in Appendix 1, teams will comprise of between 2 and 4 persons, excluding team leaders, on each occasion. Only

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one collection agency/charity/non-profit organisation and one team will be permitted to operate at any agreed location, on any agreed day.

4. Positioning & Visibility

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. All collectors should wear tabards or other distinctive clothing that enable shoppers and other pedestrians to identify them from a distance. All collectors should visibly be wearing identity cards with details and photograph.

5. Frequency

Fundraisers will visit any site for no more than 6 out of 14 consecutive days or 3 out of 7 consecutive days unless a lesser number is specified in the site matrix in which case the lesser number shall apply. Collection will only take place between the hours of 10.00 am and 8.00 pm.

6. Nominated Officer

The Council’s nominated officer will be the City Operations Manager – Central Area. Generally, it is anticipated that a diary will be established in advance to ensure there are no potential conflicts with other collection agencies who are not members of the PFRA, who may have previously approached the Council to operate within the Street or where there are national flag days when an individual charity or non-profit organisation operates across all local authorities. The Council will monitor the activities of the fundraisers in light of its statutory responsibilities under Section 130 Highways Act 1980 and all other powers enabling it to take enforcement action when deemed necessary.

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However, save in the case of an emergency raise any problems of enforcement with the PFRA in the first instance.

7. Required Information

The PFRA will provide the name of the Agencies acting on behalf of charities or non-profit organisations, which is the subject of the fundraising on any particular day by at least TEN working days in advance and the contact details and address of the fundraising organisations the week prior to commencement of charity fund raising. This information should be sent via e-mail to the nominated Operations Manager. As stated above it is anticipated advance notice will be given of any collectors to avoid conflicts with other trading activities or other events or festivals being held. A minimum of FOUR working days' notice should be given by the PFRA for any changes or alterations to the diarised arrangements. A telephone contact should be provided in the event that urgent action is required by the fundraising organisation in respect of any one or more of its operatives.

8. Working Together - Promoting Public Confidence

The Council agrees to work with the PFRA to publish information regarding this agreement including explanations on what face to face collection is and the Agreement that is entered into with the PFRA to manage it together with information regarding the way the public are protected by the Code of Practice and information regarding direct debit security. PFRA agrees to provide further information on these matters if requested to do so by the Council.

9. Dealing with Complaints

PFRA will inform the Council of any complaints received and conversely any feedback to the Council will be forwarded to the PFRA. Where the collection

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agencies themselves receive complaints it is expected that they will provide information to the PFRA and 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.

10. Monitoring and *Mystery Shopping*

The PFRA will police member organisations through a sufficient programme of random spot checks to ensure fundraising adherence to the Code of Practice and this Site Management Agreement.

11. Reviews and Amendments - Periodicity of a Review Procedure

The parties agree to review this SMA not less than every 6 months and agree that all permanent amendments will be agreed in writing before becoming effective.

SIGNED by)
for and on behalf of the Council)

SIGNED by)
for and on behalf of the PFRA)

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Public Fundraising Regulatory Association

Appendix 1

Westminster Site Matrix Locations - Site Delineations 2010	Maximum Number of Fundraisers	Frequency of Visits Per Week
Aldwych	4	2
Argyll Street	4	3
Baker Street	4	3
Broadwick Street	2	2
Bond Street Triangle	4	3
Carnaby Street	4	3
Charing Cross Road	4	3
Edgware Road	4	3
Great Portland Street	4	3
Green Park	4	3
Haymarket (Tues, Thurs, Sat)	4	3
James Street	4	3
Leicester Square (Mon, Wed, Fri)	4	3
Marble Arch	4	3
Marylebone High Street	4	3
North Regent Street	4	3
Old Compton Street	4	3
Oxford Street (Selfridges)	4	3
Piccadilly Circus	5	3
Praed Street	4	3

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Queensway	4	2
Regent Street	4	3
Soho Square	4	3
St Martin's Lane	4	3
Strand Central (The)	4	3
Temple / Royal Courts of Justice	4	3
Victoria Street	4	3
Villiers Street	4	3

Exclusion Zone: Oxford Circus crossroads

Appendix 2

Abridged Institute of Fundraising Code of Practice for the Personal Solicitation of Committed Gifts (“Face to Face” Fundraising)

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.

Street and door-to-door fundraisers receive initial and ongoing training from the charity/NPO and from their professional fundraising organisation (where applicable). The quality and standards of their work are subject to monitoring and review.

For a copy of the Institute of Fundraising Code of Practice visit

www.institute-of-fundraising.org.uk or www.pfra.org.uk

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Appendix 3

AGREEMENT/GUIDELINES FOR 'FACE TO FACE' STREET FUNDRAISERS WITHIN THE CITY OF WESTMINSTER.

These guidelines are additional to the Institute of Fundraising's Code of Fundraising Practice for Face-to-Face Activity and are relative to the City of Westminster only.

No fundraiser shall be under 16 years of age.

Fundraisers should comply with guidance as specified in the PFRA 3-step rule so as to not deliberately impede pedestrians.

Fundraisers should position themselves within close proximity of each other to avoid multiple requests from fundraisers to members of the public.

Fundraisers should not stand in the middle of the pavement.

Fundraisers' team bags should be attended at all times to prevent possible security alerts.

Fundraisers must always be readily identifiable with the associated charity and openly display personal identification.

Team Leaders must be identifiable as above and as Team Leaders and should be present with their team at all times.

All complaints about fundraisers should, in the first instance, be reported to the PFRA. In the case of –

1. Special events that may impact on the viability of street fundraising: the Council will inform the PFRA with as much notice as possible to allow for alternative arrangements to be made;
2. Fundraisers' behaviour breaching the Code of Practice or this SMA: this behaviour is to be reported to the PFRA as soon as practical so procedures to mitigate the problem can be instigated;
3. Emergency or other unforeseen circumstances: Emergency Services exercise their delegated powers per the normal execution of their duties, and fundraisers to co-operate with officials involved.

Fundraisers should at all times respect peoples rights to freely pass along the highway.