



Public Fundraising *Regulatory* Association

February 2013

Site Management Agreement

Site Management Agreement

Between PFRA and Worcester City Council

Prepared by: **Dr Toby Ganley**
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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 Worcester 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.

2 Statement of Conformity

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

3 Access Details

3.1 Sites, team sizes, and frequency

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

High St – South (marked 1 on the map, Appendix 1, page 6):

Between the Elgar Statue and 95 High Street

Capacity: not more than 2 fundraisers

High St – North (marked 2 on the map, Appendix 1, page 6):

Between 39 High Street (M&S/HMV) and 65 High Street (WHS)

Capacity: not more than 2 fundraisers

The Shambles (marked 3 on the map, Appendix 1, page 6):

Between 45 The Shambles (M&S/Regis hair salon) and 2 Argos

Capacity: not more than 2 fundraisers

NB: not more than 4 fundraisers are to be working in Worcester at any one time. They are to use any 2 of the above 3 areas. A Team Leader (permitted to fundraise) is allowed to be present and should split their time between supervising the 2 pairs of fundraisers throughout the day.

Fundraisers are to remain 3 metres from any member of the public in a queue.

Frequency: fundraising is only to take place in Worcester on Mondays, Wednesdays, and Fridays

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.

Fundraising will only be permitted between the hours of 10am and 5pm, unless otherwise specified. Fundraisers are to take particular care when the sites are open to vehicular traffic (ie before 10:30am and after 4:30pm).

Fundraising will not be permitted on national flag/collection days such as the Poppy Appeal and may be limited when there are special occasions and events including markets, street entertainment and streetscene use of space bookings or emergency cash collections having been granted by Worcester City Licensing Committee, Visit Worcester, the Worcester Business Improvement District, or the Chamber of Commerce. Typically 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).

Fundraisers are not to approach tour groups of 6 or more people.

4 Information Required

4.1 Nominated Gatekeeper

The nominated gatekeeper for Worcester City Council is Niall McMenamin and his contact details are niall.mcmenamin@worcsregservices.gov.uk. In his absence all enquiries should be made to wrsenquiries@worcsregservices.gov.uk, or 01527 881395.

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:

Niall McMenamin, Senior licensing Practitioner, Worcestershire Regulatory Services (on behalf of Worcester City Council)

Email: niall.mcmenamin@worcsregservices.gov.uk

Visit Worcester

Email: events@visitworcester.com

Adrian Field, BID Manager, Worcester BID

Email: info@worcesterbid.com

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

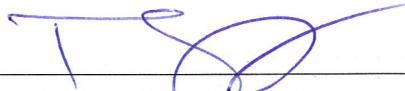
Worcester City Council and Worcestershire Regulatory Services agrees to work with the PFRA to raise awareness regarding this site management scheme, including explaining what face-to-face fundraising is, the PFRA, the Code of Practice, and facts about Direct Debit.

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

This SMA will be reviewed 3 months after it is implemented, and then once every 6 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:

04.03.13

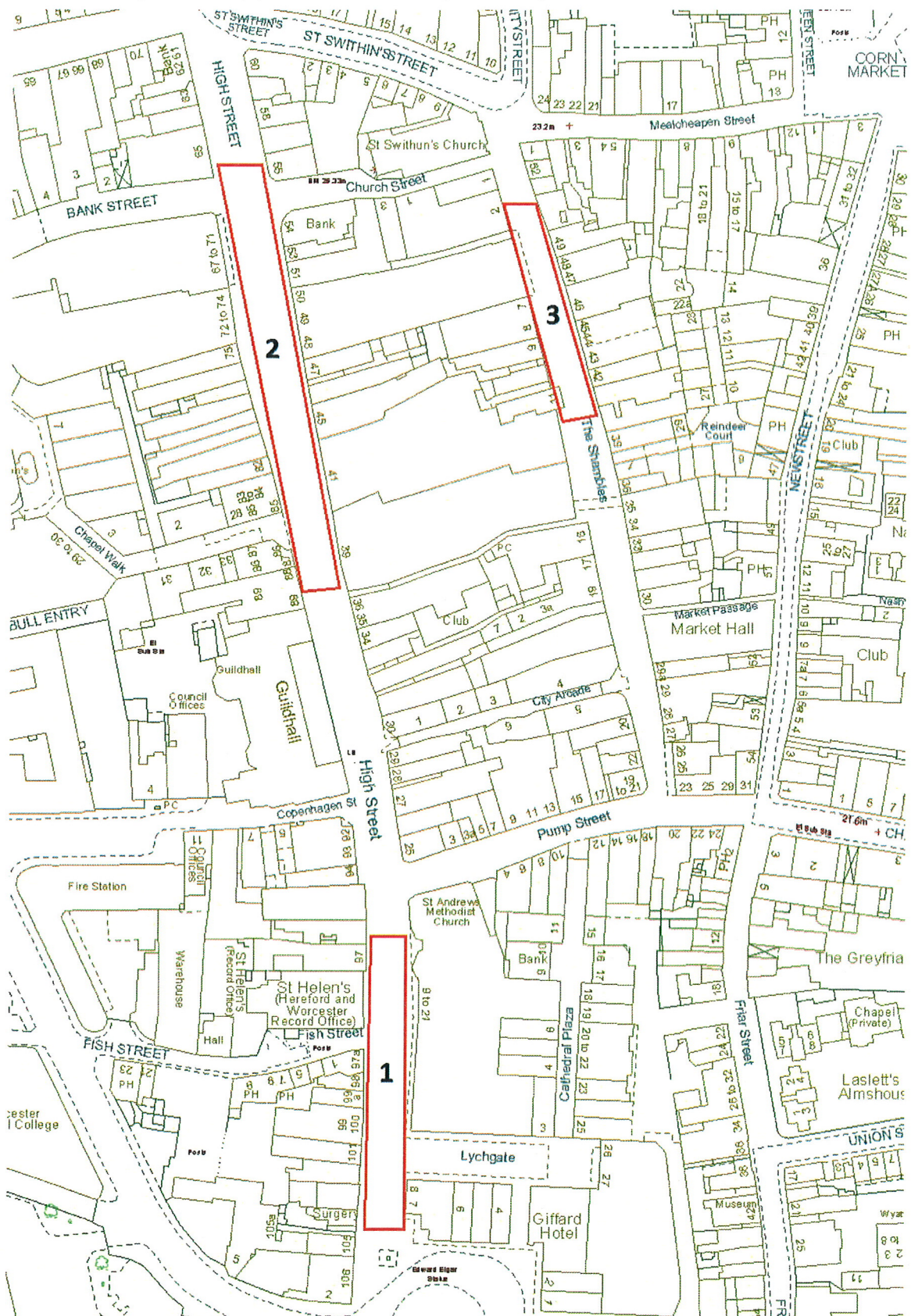
Signed For and On Behalf Of
Worcestershire City Council:


David Sutton, Service Manager,
Cleaner and Greener City,
Worcester City Council

Dated:

Appendix 1 - Map(s)

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



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.

