FUNDRAISING REGULATOR

An introduction

to the Code of Fundraising Practice

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About the Code of Fundraising Practice

The Code of Fundraising Practice (the code) sets the standards that apply to charitable fundraising in the UK. Any fundraising carried out on behalf of your charitable organisation – whether by staff, volunteers or paid fundraisers – should meet the rules in the code to ensure it is legal, open, honest and respectful.

The Fundraising Regulator is responsible for setting, maintaining and promoting these rules. Where a breach of the code is found, we take appropriate action.

You can find out more about our role, including an animation that explains who we are and how we promote good practice, on our website

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About this guide

This guide is designed to help fundraisers and those who govern charitable organisations understand how to meet the requirements of the code. It will be especially useful if you are fundraising for the first time or have recently registered with the Fundraising Regulator.

Think of it as a starting point for navigating the code and understanding how it applies to your specific area of fundraising. It should be used alongside other sources of guidance and good practice.

Important information for trustees and those who govern your organisation

If you are a trustee or are otherwise responsible for governing a charitable organisation, remember that ultimate responsibility for fundraising rests with you and your fellow trustees or board members – even if day-to-day operations are delegated to staff, volunteers or third parties.

This means you must always act in the best interests of your organisation, consider reputational and other risks, and seek further advice when needed.

The Charity Commission for England and Wales has published a guide to trustee duties (CC20) on what charities and their trustees should consider when fundraising from the public.

How to use the code

How the code is structured

The code is divided into three parts:

Part ①

Sets out how you should behave when interacting with donors and members of the public. This part applies to all fundraising activity, regardless of who you are working with or the method being used.

Part ②

Covers rules on working with others when fundraising, such as volunteers, children, professional fundraisers or commercial partners. It includes rules on training, due diligence checks on partners, contractual obligations, and rules on engaging with people in vulnerable circumstances.

Part ③

Outlines the rules that apply to different fundraising methods. You should identify the method(s) you intend to use and meet the rules in the relevant section.

Applying the code to your fundraising activity

When planning your fundraising, it is helpful to think about the different activities involved and how all three parts of the code apply to them.

Your fundraising activity could include:

- collecting money or other property in a public place or online
- using marketing, digital communications or advertisements
- using volunteers or working with children
- holding public or online events

The following six steps outline one approach you could take to applying the code to your fundraising activity:

① Read the rules that apply to all fundraising

Part 1 of the code applies to **all** fundraising activity. You must ensure that everyone fundraising on behalf of your organisation – including fundraising partners – is aware of and understands their obligations under the code.

Some key requirements to ensure your fundraising is legal, open, honest and respectful include:

- not placing undue pressure on people to donate and not being unreasonably intrusive (1.1.2)
- not misleading people (1.2.1)
- handling complaints effectively (2.3)
- processing donations effectively and securely (section 3)

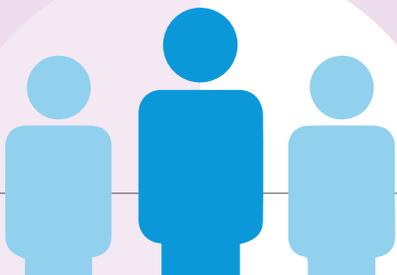We have produced guidance on the key behaviours expected of fundraisers and how they should ask for support.

If you are fundraising for a specific project, you are legally required to use the donations for the purpose set out in your appeal. By clearly stating a secondary purpose, you can ensure the funds may still be used if you raise more money than your target amount, or not enough.

② Decide if you will be working with others to deliver your fundraising

Part 2 of the code sets out the rules for fundraising that involves working with volunteers, fundraising partners or people in vulnerable circumstances.

- **Working with volunteers (section 4):**
  You may be responsible for ensuring volunteer fundraisers follow the code. The more involved your organisation is with a volunteer's fundraising before the activity takes place, the more likely you will be responsible for their actions. See our guidance on different volunteer fundraising arrangements and what they mean for charitable organisations and volunteers.

- **Working with third parties (section 6):**
  If you partner with a third party (for example, a fundraising agency), you will usually need a written agreement. You must monitor the third party to ensure compliance with both the code and the agreement. Section 6 also summarises the key legal requirements for fundraising partnerships. Further guidance is available on working with professional fundraisers and commercial participators.

- **Engaging with people in vulnerable circumstances (section 5):**
  You must give due consideration to the needs of existing or potential donors, follow safeguarding rules, and observe minimum age restrictions. Take particular care when involving children in fundraising – whether as fundraisers, volunteers or donors.

③ Identify the rules that apply to your chosen method of fundraising

Part 3 of the code sets out the rules for specific fundraising methods. A variety of methods are covered in this section, ranging from public and event fundraising; to lotteries and prize draws; and fundraising online. Your activity may involve more than one method, in which case you will need to follow multiple sections.

For example, if you are running an event:

- See section 10 on event fundraising.
- If you are promoting the event, check section 8 on fundraising communications and advertising.
- If the event includes a raffle, read section 11 on prize competitions and free draws.

We have produced guidance on some of the most common fundraising methods to help you understand how the code will apply in different scenarios. These include:

- community fundraising and events
- lotteries and raffles
- online giving
- cash collections

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④ Refer to our supporting resources and information

In addition to method-specific guidance, you can find a range of resources on our website to help you comply with the code. These include:

- Code support guides in three key areas:
  - **Documenting your fundraising decisions**
  - **Due diligence and fundraising**
  - **Monitoring fundraising partners**

- The free Code Advice Service, which allows you to contact the Fundraising Regulator with specific questions about how the code applies to your fundraising activity.

⑤ Make sure you follow other legal requirements that apply

Your fundraising activity may be subject to rules regulated by other bodies, including:

- Gift Aid rules (HM Revenue & Customs)
- Data protection regulations (the Information Commissioners Office)
- Lotteries and prize draws rules (the Gambling Commission).

The code summarises the key legal requirements you need to consider and provides links to the relevant regulator and guidance.

⑥ Monitor and evaluate your fundraising activity

Monitoring and evaluating your fundraising activity helps you respond to issues in real time and improve future activities.

After your fundraising is complete, you should assess whether it complied with the code, taking into account any complaints or feedback. This review will provide valuable learning for your senior management team and trustee board, helping to make your fundraising more effective.

Other responsibilities to consider when fundraising

Managing risk

Under Rule 2.1.1, you are required to assess and manage fundraising risks. While risks are unlikely to be eliminated entirely, you should take proportionate actions to minimise any serious effects.

The Charity Commission for England and Wales has produced guidance on this topic: Charities and risk management (CC26)
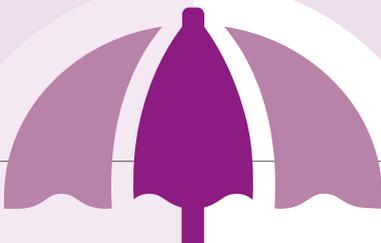
Safeguarding

To ensure the safety of both fundraisers and potential donors, you should carry out appropriate checks on your fundraisers. Depending on your risk assessment, this may include:

- a basic Disclosure and Barring Service (DBS) check in England and Wales
- an Access NI check in Northern Ireland
- a Level 1 (formerly 'basic') Disclosure Scotland check in Scotland

These checks may be required for anyone aged 16 or over.

You are also responsible for protecting donors in vulnerable circumstances from harm. This often includes ensuring fundraisers are aware of safeguarding considerations. Further guidance is available on engaging with donors in vulnerable circumstances.

Managing complaints

The code expects you to have a **publicly available complaints process** (section 2.3). Wherever possible, complaints should be resolved 'in-house' by the organisation(s) involved.

To handle complaints effectively:

- **Be accessible:** Provide clear details of how to make a complaint, including contact information.
- **Be receptive:** Take time to understand the nature of the complaint, address any issues raised, and take steps to resolve them, where appropriate.
- **Be timely:** Respond in a timely manner and provide updates on the progress if needed.

If a complaint about your organisation is referred to us, we will expect you to engage with us appropriately (section 2.1.3). Further guidance on complaints handling is available on our website.

Reviewing internal policies and processes

You should consider whether your organisation needs to draft or update any internal policies, or provide additional training, to ensure fundraisers can meet the standards set out in the code.

Registering with the Fundraising Regulator

Organisations that spend more than £100,000 a year on fundraising are expected to register with us and pay a yearly levy. Smaller organisations can choose to register for a flat fee of £60 per year.

By registering, your organisation shows its commitment to the fundraising values. You can display the Fundraising Badge and appear on our public directory – reassuring the public that your fundraising is responsible. This, in turn, helps protect the reputation of both individual organisations and the charitable sector as a whole.

Our research shows that most donors are more likely to think positively of a charity that displays the badge. Find out more about registering with us on our website.