A guide to our consultation process

The Fundraising Regulator sets and maintains fundraising standards across the UK. We ensure that fundraising is respectful, open, honest and accountable to the public.

The Code of Fundraising Practice

The Code of Fundraising Practice (“the Code”) and its associated rule books for street and door fundraising outline the standards expected of all charitable fundraising organisations across the UK. The standards were developed by the fundraising community through the work of the Institute of Fundraising (IoF) and Public Fundraising Association (PFRA).

Responsibility for the Code and the rule books were formally transferred to the Fundraising Regulator on **7th July 2016**. Decisions on changes to these standards are made by the Fundraising Regulator’s Standards Committee in consultation with fundraising stakeholders.

The role of consultation

Our actions affect people and fundraising organisations across the country. As a result, it is very important that we take our decisions at the right time and in the right way. These decisions must be based on evidence and they need to take account of the views of those who have an interest in the outcome.

Consultation allows those who could be affected by or concerned about a particular issue to give us their views before we decide on a course of action. It provides the means by which those affected can judge what we do and why we do it.

This guide explains how we normally manage the way we consult. Although these guidelines set out the approach the Fundraising Regulator expects to take, they do not have binding legal effect. If the Fundraising Regulator decides to depart from the guidelines, we will normally set out our reasons for doing so.

If you have any comments on how we can improve our consultation processes, please let us know by e-mailing us at consultations@fundraisingregulator.org.uk .

How we identify a case for change

The Fundraising Regulator may decide to consult on any changes to the Code or to our policies which come to light in the course of our work. This includes issues identified as a result of:

- Complaint investigation or compliance activity undertaken by the Fundraising Regulator, or by a designated third party.
- A high volume of complaints about a particular aspect of fundraising or public calls for change from public interest groups, the media or politicians.
- Communication with internal or external stakeholders

- Code reappraisal as part of a proactive review cycle
- A change in the law

How we consult

We are responsible for a range of issues concerning the way charities communicate with the public to raise funds and we need to be sure that our decisions are well-informed and evidence-based. For us, an effective consultation means allowing all those interested in the outcome of a particular decision to have their say before we make that decision.

We will try to:

- involve, as far as possible, all those whose voices need to be heard, whether big fundraising organisations or small ones, public, consumer and community groups or individuals, wherever located in the UK.
- explain fully the different options that we are considering before we make our decision;
- help those with views to respond fully and in an informed way; listen to those responses and use them to help understand the effect of any action we take.

We will also try to:

- be clear and open, so everyone can see what is happening when, and why;
- deliver value for money by making sure the cost of running the consultation process is proportionate; and
- be as timely as possible in running the consultation process.

We will carefully evaluate and choose our consultation approach depending on the issue and those affected or likely to take an interest.

We think the best way to ensure the views of all concerned are heard is to use a combination of informal and formal consultation methods. However, where circumstances require fast or even immediate change or there is an unambiguous case for change (for example a change in the law). We will use our discretion to establish whether consultation is appropriate or not.

1. Informal engagement

We may engage informally by:

- using **research** to understand the views, needs and behaviour of people and organisations involved in or concerned about fundraising practices. Where the issue is likely to be of particular importance or require substantial change, we may also seek to evidence the potential impact of any options proposed. We particularly want to reach organisations who struggle to get their opinions heard. Some research will be based on surveys and opinion polls. Other studies will be based on techniques such as focus groups. And, others will use a balance of both. We may also hold special events.
- using existing consumer, supporter, fundraiser and public **panel groups** from the sector and creating our own **consultation groups** where appropriate
- **speaking regularly and informally** with stakeholders, such as at informal meetings and seminars to help us understand their concerns. We may, for example have pre-consultation discussions with those stakeholders who are particularly affected to understand the issue better from their perspective.

We will communicate as widely as possible throughout each consultation. This may involve:

- holding **face-to-face meetings**;
- using our website (www.fundraisingregulator.org.uk) to gather **feedback online** and to provide detailed background information;
- **briefing the media** using news releases and so on; and
- **communicating directly through the media** by writing articles for magazines and newspapers.

2. Formal consultation

We will usually issue a consultation document describing the issue, possibly including options, and inviting written responses. We will publish this document on our website (in soft copy) and we may additionally issue a paper (hard copy) version on request where our proposals are likely to be of interest to a large number of people. We may also contact stakeholders who we identify as having a specific interest in the issue to bring it to their attention.

When we begin a formal consultation we will also say when we expect to publish our decision.

There are generally three categories of formal consultation, with corresponding timescales:

Category 1: Consultations which contain major policy initiatives and/or are of interest to a wide range of stakeholders (especially those who may need a longer time to response); we will consult for up to 10 weeks.

Category 2: Consultations which, whilst containing important policy proposals, will be of interest to a limited number of stakeholders who will be aware of the issues; we will consult for up to 6 weeks.

Category 3: Consultations which fall within one or more of the following

1. detailed technical issues;
2. where there is a need to complete the project in a specified timetable because of a change in the law, developments within the sector or other factors which require the project to be concluded within a short period;
3. the issue has already been the subject of a consultation;
4. a proposal will have a limited effect on fundraising;
5. a proposal is only a limited amendment to existing policy or regulation.

The time period for consultations in this category will usually be one month. We will usually also make allowances for holiday periods in setting our timetable.

How we will approach each formal consultation

We will follow five key steps for each formal consultation.

1. We will be clear in the consultation document why and what we are consulting about, what questions we want answered, the length of the consultation and when we expect to publish our decision.
2. We will write the consultation in plain English.
3. We will try to make it as easy as possible to respond.
4. We will consult for up to 10 weeks depending on the category of consultation
5. If we are unable to follow one of these steps, we will explain why.

What a formal consultation will look like

We will aim to follow a consistent approach in designing each formal consultation document. The contents will vary depending on the issue, but will usually include:

- a front cover with the name of the consultation and the closing deadline for responses to it;
- a page listing the contents;
- an executive summary in plain English;
- the main body of the document (this will include a description of the different options we are considering and the advantages and disadvantages of each);
- a list of questions
- a contact name and details where responses should be sent;
- a summary of the next steps we are going to take after the consultation period has come to an end; and
- annexes and a glossary, if these are necessary.

After the formal consultation

We will acknowledge receipt of all responses received. We will review all the responses we have received. We will prepare a summary for our Board and / or other key stakeholders as relevant. The summary will also include other important and relevant information. This might include the results of market research, the views given in seminars and meetings and the outcome of informal talks with people and organisations who have an interest or concern. It will also identify any issues which might merit further analysis.

Once the Board or other relevant responsible group have signed off the decision we will publish the consultation summary and the final decision on our website. The summary will contain reasons for our decisions and will explain how consultation has shaped any decisions and recommendations.

Responding to our consultations

We don't just want to know whether people or organisations agree or disagree with our proposals, but the reasons for their views and how our proposals affect them. Wherever possible we would like respondents to validate their statements with evidence.

We will also encourage membership groups such as trade associations and consumer and community groups to explain who they represent.

Confidentiality

Where engagement is informal, we will respect the confidentiality of stakeholders we engage with and will not reveal details if we have agreed to keep discussions private.

As part of the consultation summary document we will include a list of respondents and anticipate publishing all responses.

Where an individual or organisation responds to a formal consultation and wishes their submission to be kept confidential, they will be asked to explain whether this wish applies to all or part of their response, giving their reasons.

If someone asks us to keep part or all of their response confidential, we will treat that request seriously and try to respect it. But sometimes we may have to publish all responses, including those requested to be kept confidential, in order to meet legal obligations.

How we announce our plans for future consultations

We invite everyone interested in fundraising issues we will be examining to register online with us to receive e-mails about future consultations and news of our other activities.