



FUNDRAISING  
REGULATOR

August 2017

# Rule Book

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## Private Site fundraising

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# 1 How to use the Fundraising Regulator's Rule Book

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Face-to-face (F2F) fundraising is the solicitation of a regular gift to charity, usually by direct debit or standing order. The purpose of this *Rule Book* is to set out the standards expected of face-to-face fundraisers operating on Private Sites.

The standards were originally developed by the fundraising community through the work of the Public Fundraising Association (PFRA). In 2015, a Review of Fundraising Regulation chaired by Sir Stuart Etherington recommended that responsibility for the rulebooks be transferred to a new Fundraising Regulator to safeguard the independence of fundraising regulation. The Street and Door-to-Door rulebooks were transferred to the Fundraising Regulator at its launch on 7th July 2016 and a new rulebook for private site fundraising was introduced in August 2017. Decisions on changes to the rulebooks are made by the Fundraising Regulator's Board based on recommendations from its Standards Committee.

The rules in the Private Sites Rule Book are binding on face-to-face fundraisers operating on Private Sites. However, if rules Fr6 or Fr15 in the Private Sites Rule Book contradict or conflict with any rules included in an agreement with the relevant site Owner/Manager, rules Fr6 and Fr15 are superseded by the site agreement.

The rules in the Street Fundraising Rule Book are binding on members of the site management system operated by the IoF Compliance Directorate.

The rules in the Door-to-Door Rule Book are binding on door-to-door fundraisers.

Rules are grouped into two categories:

- **Rules for Fundraisers**, relating to the conduct of fundraisers engaging with the public (prefixed "Fr", e.g. Fr1, Fr2)
- **Rules for Operational Staff**, relating to wider organisational practices. (Prefixed "Op", e.g. Op1)

*NB: This document only includes those operational rules overseen by the Fundraising Regulator – a full list of rules for operational staff, including those relating to the administration of the IoF's diaries and Site Management Agreements for street-based fundraising can be found at [www.institute-of-fundraising.org.uk/regulation-and-compliance](http://www.institute-of-fundraising.org.uk/regulation-and-compliance)*

## Legal requirements

Alongside compliance with the Fundraising Regulator and the [Code of Fundraising Practice](#), it is the duty of fundraising organisations and fundraisers to ensure that their fundraising practices and those of any organisations they sub-contract are compliant with the law. Latest guidance on current legislation can be found at [www.iof.org.uk](http://www.iof.org.uk) and [www.fundraisingregulator.org.uk](http://www.fundraisingregulator.org.uk) .

## 2 Rules for Fundraisers

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### **RULE Op1\*: Private Site bookings**

Private Site bookings **MUST** be recorded and **MUST** include the full name of the person with whom the booking was made, the dates that were agreed and the type of activity that was agreed. These records must be kept for no fewer than 28 days.

### **RULE Fr1: Commencement of work**

Whenever possible fundraisers **MUST** introduce themselves to the relevant Private Site staff member prior to commencing work.

### **RULE Fr2: Best behaviour**

While on duty, fundraisers **MUST NOT**:

- act in any way that might reasonably cause members of the public to be or become startled or anxious
- act dishonestly or manipulatively, or deliberately seek to make a potential donor feel guilty
- act in any other way that a reasonable person might judge brings the charity they are representing into disrepute<sup>1</sup>. This includes but is not limited to:
  - smoking or drinking alcohol in charity branded clothing
  - taking or being under the influence of illegal drugs
  - lewd or aggressive behaviour, including swearing in charity branded clothing
  - exerting undue pressure on members of the public to donate
  - exploiting their position for personal gain (eg. soliciting a job offer, propositioning someone for a date, or seeking a discount on goods or services)
  - any other behaviour that harms the reputation of the fundraising profession or the charity being represented in the eyes of the public

### **RULE Fr3: Managing vulnerability**

Fundraisers **MUST NOT** sign up any person at any time who they may have reasonable grounds for believing, in the course of their engagement with the individual, that they are in vulnerable circumstances which mean they are unable to make an informed decision to donate. These may include, but are not limited to:

- physical and mental medical conditions
- disability
- learning difficulties
- times of stress or anxiety (e.g. bereavement, redundancy)

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<sup>1</sup> For the purposes of clarification, the mere presence of a fundraiser or fundraisers in a location cannot be construed as 'bringing into disrepute'.

- financial vulnerability (where a gift from a donor may impact on their ability to sufficiently care for themselves or leave them in financial hardship)
- Proficiency in English
- influence of alcohol or drugs

Fundraisers **MUST NOT** sign up any person under 18 years of age.

Further guidance can be found here:

<http://www.institute-of-fundraising.org.uk/library/treatingdonorsfairly/>

#### **RULE Fr4: Solicitation statements**

Fundraisers **MUST** make legally compliant solicitation statements. In all cases, the solicitation statement **MUST** be made before any financial details relevant to the transaction are requested by the fundraiser.

For guidance, please see here: <https://www.fundraisingregulator.org.uk/110-0-solicitation-statements/>

#### **RULE Fr5: The ‘three-step’ rule**

Once an approach has been made to a member of the public, a fundraiser **MUST NOT** take more than three steps alongside or in pursuance of that member of the public, even if asked to do so.

For the avoidance of doubt, ‘three steps’ involving fundraisers deliberately obstructing a member of the public will be considered a breach of Rule Fr7 (see below).

If the member of the public has not come to a halt within the three steps allowed for, the attempted engagement **MUST** be terminated.

This rule does not apply to a fundraiser escorting a member of the public to a promotional stand, or to a different part of a promotional stand, having already successfully engaged them.

#### **RULE Fr6\*: Fundraiser positioning**

Fundraisers **MUST NOT** work outside the confines of the boundaries of the private site as explained by the Site Owner, and in any case must work within sight of the promotional stand, if present. When working at High Street locations fundraisers must work within 1 metre of the promotional stand (or equivalent) which must be no more than 1 metre away from the shop front. The position of the fundraiser and stand must not impede on other businesses.

*\*if this rule contradicts or conflicts with any rules included in an agreement with the relevant site Owner/Manager, it is superseded by the site agreement.*

#### **RULE Fr7: Deliberate obstruction**

Fundraisers **MUST NOT** deliberately obstruct the path of members of the public.

#### **RULE Fr8: Consent for future contact**

During the sign up process, if obtaining consent for the charity to send communications to them in the future, fundraisers **MUST** clearly explain to members of the public that they can choose to give or withhold consent to future marketing contact.

Fundraisers **MUST** ensure that members of the public understand the method and purpose of contact they are consenting to. Consent **MUST** be unambiguous, freely given, specific and informed.

Fundraisers **MUST** collect a positive indication of the choices selected, such as providing a signature.

### **RULE Fr9: Immediate termination**

Fundraisers **MUST NOT** attempt to initiate a conversation or continue to engage a member of the public if that person clearly indicates – by word or gesture – that they do not wish to be engaged.

### **RULE Fr10: Committed giving**

When asking for a regular gift fundraisers **MUST NOT** suggest to any member of the public that the engagement they are attempting to initiate is ‘without commitment’. By definition, all engagements are ultimately ‘about long-term commitment’.

Where the fundraising approach involves a follow-up call (such as prospecting or “2-step” text fundraising), fundraisers **MUST** seek consent from members of the public to be contacted a second time to solicit a regular donation following their initial engagement.

### **RULE Fr11: Financial ask transparency**

Fundraisers **MUST NOT** suggest to any member of the public that the engagement they are attempting to initiate is “not about money” or that they are “not fundraising”. By definition all engagements are ultimately ‘about money’.

### **RULE Fr12: I.D. visibility**

ID badges **MUST** include the identity of a fundraiser, who they work for and a phone number for the relevant charity or agency.

In order to facilitate this, ID **MUST**:

- be clearly displayed
- be in the form of a badge secured about the upper front part of the fundraiser’s torso
- be of not less than credit-card size
- be signed or in some other way authorised (company seal or stamp) by the employing agency and/or commissioning charity

Fundraiser identification should be accessible for people with visual impairments. Guidance can be found at <https://www.abilitynet.org.uk/quality/documents/StandardofAccessibility.pdf>

### **RULE Fr13: Fundraiser visibility**

If a promotional stand is not present, fundraisers **MUST** wear charity branded clothing. When worn, charity branded clothing:

- **MUST** be visible and identifiable.
- **MUST NOT** be tied around waists or covered by non-charity branded clothing or other property, or in any other way be obscured.
- **MUST** be clean and in good condition to ensure legibility and brand integrity.

### **RULE Fr14: Members of the public who are ‘on duty’**

Fundraisers **MUST NOT** knowingly approach people conducting official duties, such as uniformed officials on duty or people clearly working.

### **RULE Fr15\*: Seated or queueing members of the public**

Fundraisers **MUST NOT** approach:

- members of the public who are seated, unless the seating is part of a promotional stand
- members of the public in queues, unless the queue is directly related to the fundraising activity

\*if this rule contradicts or conflicts with any rules included in an agreement with the relevant site Owner/Manager, it is superseded by the site agreement.

### **RULE Fr16: Respect for local businesses**

Fundraisers **MUST NOT** obstruct, interfere with, or disrespect members of staff from local businesses.

### **RULE Fr17: Location changes**

Should a venue change fundraisers **MUST** notify their designated operations person prior to commencing work.

## 3 Glossary

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This section provides a definition of the key terms used within the rulebook.

### **Approach**

Any attempt to engage with a member of the public with the intention of soliciting Direct Debit donations or contact details.

### **Deliberately**

Intentionally, as opposed to accidental, or caused by the actions of others.

### **Fundraiser**

An individual who raises money or collects contact details from members of the public ('prospects') for a charity.

### **Obstruct**

Any deliberate action that causes a person to:

- involuntarily stop
- suddenly change direction in order to get past the fundraiser and continue their journey.

Obstruction does not apply to people who choose to alter their direction of travel so as not to engage with a fundraiser.

### **On duty**

Any occasion in which an individual is identifiable as working – e.g. through wearing branded clothing, proclaiming they work for a specific charity or any other means that identifies them as a charity representative. Fundraisers can therefore be guilty of bringing their charity into disrepute outside of normal working hours, and at times when they are not actually working as a fundraiser, if they fulfil any criteria that identify them as charity representatives.

### **Prospecting**

An activity where only the contact details of members of the public are collected, for subsequent contact by the charity, rather than the bank details necessary to set up a Direct Debit mandate (or similar committed gift). Prospecting and prospectors are included where this document refers to fundraising or fundraisers.

### **Subcontractor**

A company undertaking work according to a secondary contract agreed with a main contractor.

## 4 Compliance – roles and responsibilities

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Where the Fundraising Regulator receives an allegation from a member of the public that a fundraiser has breached this rulebook or the Code of Fundraising Practice, the complaint will be considered by the Regulator following the process as set out in in the Regulator's Complaints, Investigations and Remedies policy. A fuller description of how the Fundraising Regulator works with the IoF to ensure good fundraising practice can be found in their [Memorandum of Understanding](#).