

Paper Title:

Consultation Summary – Part B TPS Compliance

1 INTRODUCTION

Part B of the recent [Consultation on the Code](#) on TPS Compliance closed on the 28th February.

Following respondents' comments there are revisions to the proposed amendments. We have also created guidance organisations who fundraise through live telephone calls.

This paper is a summary of responses to the Consultation and final revisions to the Code. The changes in this paper were approved by the Fundraising Regulator's Board.

2 CONSULTATION RESPONSES SUMMARY

- A strong response was given to the proposal not to mandate the use of the TPS Assured Accreditation Scheme (83% of 41 responses)
- The wording proposed received a lower level of agreement (63%)
- Comment focussed on:
 - The need for a rule rather than commentary on the legal requirements.
 - The request for Guidance to replace the accreditation scheme requirement.
 - The fact that it is not only agencies who need to comply with TPS requirements.
 - The need to highlight the distinction between live and automated calls.

3 COMMENTS ON THE RESPONSES

The Fundraising Regulator acknowledges the need for a rule to reflect the legal requirements and supporting guidance rather than commentary. The final changes approved by the Board reflect these responses to the consultation.

4 FINAL CHANGES TO THE CODE ON TPS COMPLIANCE

- 1) The wording for rule **8.2.3 d)** will be amended in the Code as follows:

***“8.2.3 d)** Organisations carrying out live fundraising telephone calls **MUST** be able to evidence their compliance with legal requirements regarding the Telephone Preference Service.*

- 2) The following commentary will be added to the Code below **8.2.3 d)** to signpost readers to the new supporting TPS compliance guidance.

*Guidance can be found in the Fundraising Regulator's **Quick Guide to TPS Compliance**. Consent is required for automated calls, see rule **8.2.2 b)**.*

5 INCLUSION IN THE CODE OF FUNDRAISING PRACTICE

The changes will be made in the Code of Fundraising as of 8th May 2018 and will come into immediate effect.

6 LIST OF RESPONDENTS TO THIS CONSULTATION

999 Club
Diverse Abilities
ACEVO
Barnados
Battersea Dogs & Cats Home
Blue Cross
Brain Tumour Research
British Heart Foundation
British Red Cross
British Tinnitus Association
Buffalo FC
Cancer Research UK
Cardiac Risk in the Young
Certitude
Chelmsford Council For Voluntary Service
Child Poverty Action Group
Children with Cancer
Cornwall Wildlife Trust
Cruelty Free International
DTV Optimize
Great Ormond Street Hospital
Help for Heroes
Horniman Public Museum & Public Park Trust
Institute of Fundraising
Lucy Air Ambulance for Children
Marie Curie
Moorfields Eye Hospital
National Autistic Society
National Trust
Natural History Museum
NCVO
Orchard-trust
Oxfam GB
PDSA



Return Fundraising
Royal Marsden Cancer Charity
Stroke Association
Support our Paras
Tiny Lives Trust
Turcan Connell
World Cancer Research Fund UK