

Site Management Agreement between PFRA and South Somerset District Council

The purpose and spirit of this voluntary Site Management Agreement (SMA) is to facilitate face-to-face fundraising in

- Castle Cary
- Wincanton
- Chard
- Crewkerne
- Ilminster
- Langport and
- Yeovil

town centres and provide balance between the rights of charities or 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 all concerned, providing just one channel for information and support, as nominated 'gatekeepers' only have to deal with one organisation, the PFRA, instead of dealing with each individual charity and fundraising organisation separately.

Statement of Conformity

- 1) All fundraisers will abide at all times by the Institute of Fundraising [Face-to-Face Activity Code of Fundraising Practice](#), the PFRA / Institute of Fundraising abridged code of practice (Appendix 1), and any rules [promulgated by the PFRA](#) from time to time.

Access Details

Sites, team sizes, and frequency

- 1) Sites may be used as follows, as shown in the maps at Appendix 2:

Castle Cary

Market Place and Fore Street

Capacity: maximum of 4 branded/working fundraisers plus 1 non-branded but ID-wearing, non-fundraising Team Leader

Frequency: two (2) non-consecutive visits per calendar month

Wincanton

High Street and Carrington Way

Capacity: maximum of 4 branded/working fundraisers plus 1 non-branded but ID-wearing, non-fundraising Team Leader

Frequency: four (4) non-consecutive visits per calendar month

Chard

High Street

Capacity: maximum of 4 branded/working fundraisers plus 1 non-branded but ID-wearing, non-fundraising Team Leader

Frequency: four (4) non-consecutive visits per calendar month

Crewkerne

Market Square and Market Street

Capacity: maximum of 4 branded/working fundraisers plus 1 non-branded but ID-wearing, non-fundraising Team Leader

Frequency: two (2) non-consecutive visits per calendar month

Ilminster

Silver Street and Cornhill

Capacity: maximum of 4 branded/working fundraisers plus 1 non-branded but ID-wearing, non-fundraising Team Leader

Frequency: two (2) non-consecutive visits per calendar month

Langport

Parrett Close

Capacity: maximum of 4 branded/working fundraisers plus 1 non-branded but ID-wearing, non-fundraising Team Leader

Frequency: four (4) non-consecutive visits per calendar month

Yeovil

The two pedestrianised areas in Middle Street – between Union Street and Bond Street; and between The Triangle and Central Road (fundraisers are not to visit the same pedestrianised area on consecutive days)

Capacity: maximum of 4 branded/working fundraisers plus 1 non-branded but ID-wearing, non-fundraising Team Leader

Frequency: ten (10) non-consecutive visits per calendar month

- 2) No collections will take place in any location on the last 2 weekends in October or the first two weekends in November each year.

- 3) Where fundraisers are found to be working outside of the agreed locations, they must comply with requests made by Local Authority Officers and reposition themselves correctly or as directed on-site. Failure to do so may result in the imposition of penalties or sanctions according to rules promulgated by the PFRA.
- 4) Only one charity will be present in any one town centre on any one day.
- 5) Fundraising will only be permitted between the hours of 9am and 7pm, unless otherwise specified.
- 6) Exclusion dates are to be announced by the Council (e.g specific event days) and be pre-booked as part of the PFRA Diary Management System. Any exclusion dates to give a minimum of 4 weeks notice to the PFRA from date of diary delivery. In the event of unexpected clashes between fundraising activities and other events (emergency, construction, health & safety of public or other priority statutory use of the highway), the District Council Licensing Officers will direct fundraisers to an alternative contingency location for the duration of such priority uses. It is understood that there may be rare occasions where notice of unavailability of certain specific sites will only be available at very short notice (such as during royal visits); in which circumstances the District Council or police officers may exercise their rights and powers to move fundraisers on without notice.

Other Conditions

- 7) 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 and should endeavour at all times not to impede the egress of any member of the public. In furtherance of this, every effort should be made to ensure that a minimum footway channel of 2.5-metres (equivalent to the width of a wheelchair or double-buggy) is maintained at all times between fundraisers and significant obstructions (such as kerb-sides and street furniture) where it is reasonable to do so.
- 8) Fundraisers are at no point to be within 4-metres of any shop entrance or, where permitted, within 6-metres of the frontage of any licensed market/street trader. Every effort must be expended to maintain a reasonable distance of 3-metres between fundraisers and any other legitimate street activities (e.g. Big Issue sellers, buskers, newspaper stands, promotional activities and market researching).

- 9) All fundraisers must wear official tabards or other official distinctive clothing to enable shoppers and other pedestrians to identify them from a distance. All fundraisers must wear official identity cards clearly visible on the upper body with personal details and photograph of the fundraiser in accordance with the activity being undertaken at the time.

Information Required

Nominated Gatekeeper

- 1) The nominated gatekeeper for South Somerset District Council is Nigel Marston and his contact details are below. In his absence all enquiries should be made to Gill Barnwell (gill.barnwell@southsomerset.gov.uk) or 01935 462138.

Required Information

- 2) The PFRA Allocations Officer will maintain and manage the diary schedule. Diary/Schedule information will include: contact details for the agency (if applicable); and charity being fundraised for.

- 3) Copies of the diary are to be made available to:

4)

Nigel Marston, Licensing Manager, South Somerset District Council

Email: nigel.marston@southsomerset.gov.uk

Telephone: 01935 462150

Licensing, South Somerset District Council.

Email: licensing@southsomerset.gov.uk

Gill Tomlinson, Yeovil Town Council

Email: gill.tomlinson@yeovil.gov.uk

Tel: 01935 382424

Jackie Wilkins, Yeovil Town Council

Email: jackie.wilkins@yeovil.gov.uk

Tel: 01935 382424

- 5) These contact details shall be updated as and when necessary.

Transition and continuity

- 6) Should the nominated gatekeeper move on or responsibilities otherwise change, the gatekeeper will inform his/her successor of the detail of this agreement, the

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relationship with the PFRA, arrangements for the regulation of face-to-face fundraising, and provide the PFRA with contact details for the successor.

Complaint Management

- 1) The Council will provide real time notification of individual complaints they wish to be resolved. Complaints about 'live' incidents can be reported to the PFRA's head of standards, Nick Henry, on 020 7401 8452 or 0776 0995 030.
- 2) Where aware of complaints, the PFRA will take prompt and appropriate action to report the complaints made to the charity being promoted (as well as to the collecting agency representing the charity), and to deal with the complaint appropriately and effectively in order to resolve the situation as far as possible. The PFRA shall keep the Licensing Officers of the District Council informed of the action taken and the resolution achieved.
- 3) The PFRA will inform the District Council promptly of any complaints received, and conversely the District Council will forward any comments or complaints channelled through it promptly to the PFRA. Where the collection agencies themselves receive a complaint, it is expected that they will provide information to the PFRA and/or the District Council, including information about the identities of any individual collector who has been the subject of a complaint and of the action taken (if any) by the collection agency.

Working Together

- 1) The local authority agrees to work with the PFRA to raise awareness regarding this site management scheme, including explanations on what face-to-face fundraising is, the PFRA, the Code of Practice, and facts about Direct Debit.
- 2) The PFRA will monitor member organisations, through a programme of random spot-checks and other mechanisms, to ensure fundraisers' adherence to the code of practice and Site Management Agreements, from time to time.
- 3) South Somerset District Council will be notified of the results of any spot checks carried out.
- 4) This SMA will be reviewed 6 months after it is signed, and then once every 12 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.

- 5) 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:

Signed For and On Behalf Of South
Somerset District Council:

Print name:

Ian Clarke

Job title:

Assistant Director Legal &
Corporate Services

Dated:

Appendix 1 – Abridged Code of Practice

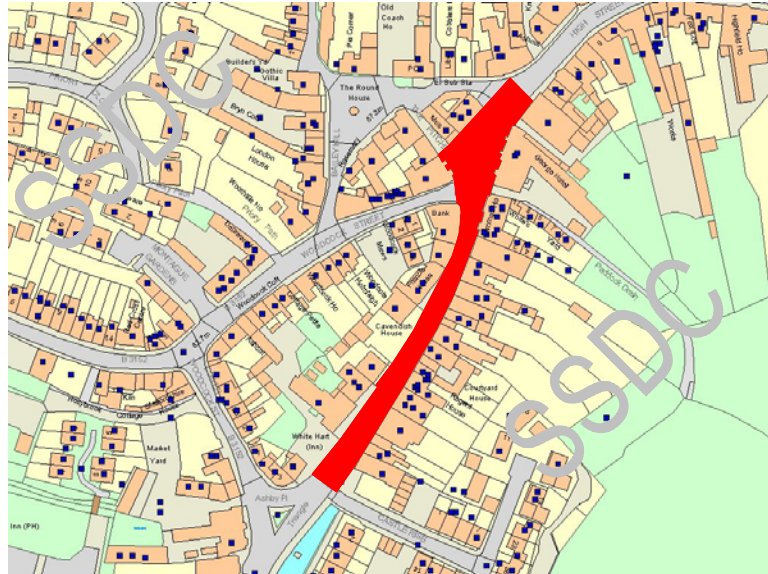
- 1) We always tell potential donors clearly that we are paid to speak with them, and that we are not volunteers - if this is the case - and we explain the basis on which we are paid.
- 2) We always carry and display ID so that any potential donor can verify who we are, whom we are working for and on whose behalf we are fundraising.
- 3) We always represent our charity or Not for Profit Organisation (NPO) at the time, in the place, and in the manner that has been previously agreed both with the charity / NPO and with the relevant site owner or Local Authority, and as directed by our team leader or other responsible agency personnel.
- 4) We always explain to a donor how the Charity or NPO will communicate with them after subscribing, and if they are likely to receive a follow up phone call we inform them of this.
- 5) We always ensure that forms with personal details provided by donors are handled at all stages in a secure manner.
- 6) We always end a conversation in a polite and respectful manner as soon as we are asked to.
- 7) We always ensure, wherever possible, that if a member of the public has a complaint, a full and accurate record of the complaint and the complainant's contact details are taken so that action can be taken promptly and appropriately. We will also offer the complainant contact details for a person in authority who can respond to their concerns.
- 8) We never say or do anything that could pressurise or harass people and we do not use manipulative techniques.
- 9) We never confuse or mislead the public and we never say, do or display anything for which we have not been given permission by the charity or NPO
- 10) We never behave whilst on duty in any way that might bring the charity / NPO or our employer into disrepute.



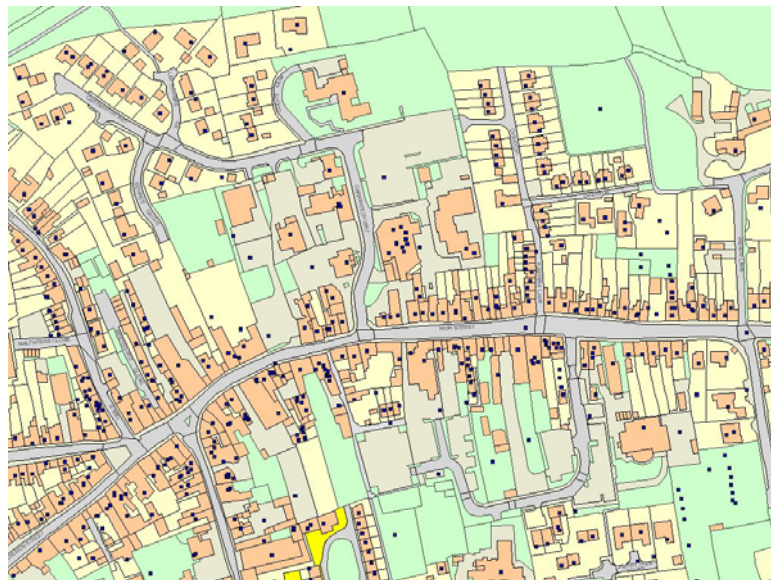
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Appendix 2

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



Castle Cary - Market Place and Fore Street



Wincanton - High Street and Carrington Way

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Public



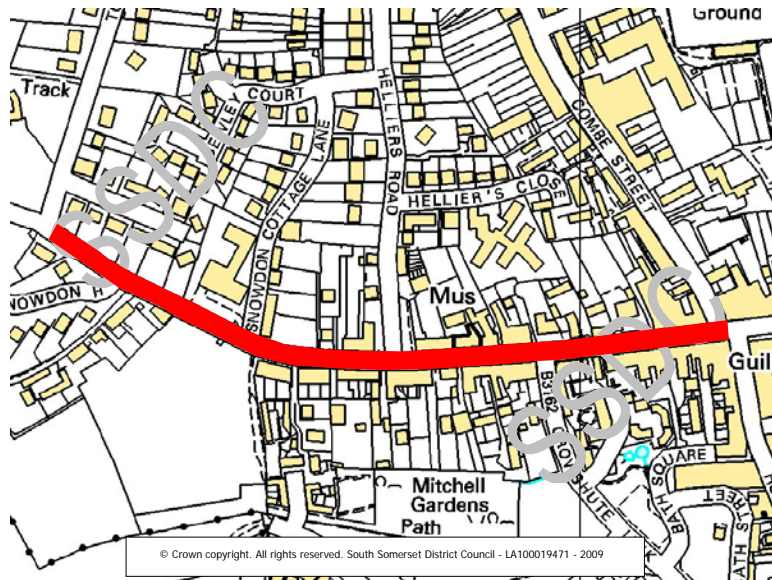
Fundraising



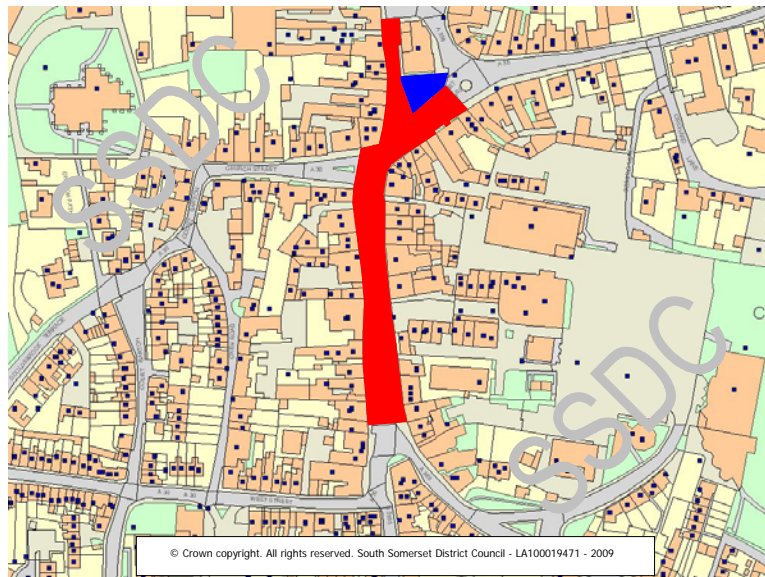
Regulatory



Association



Chard - High Street



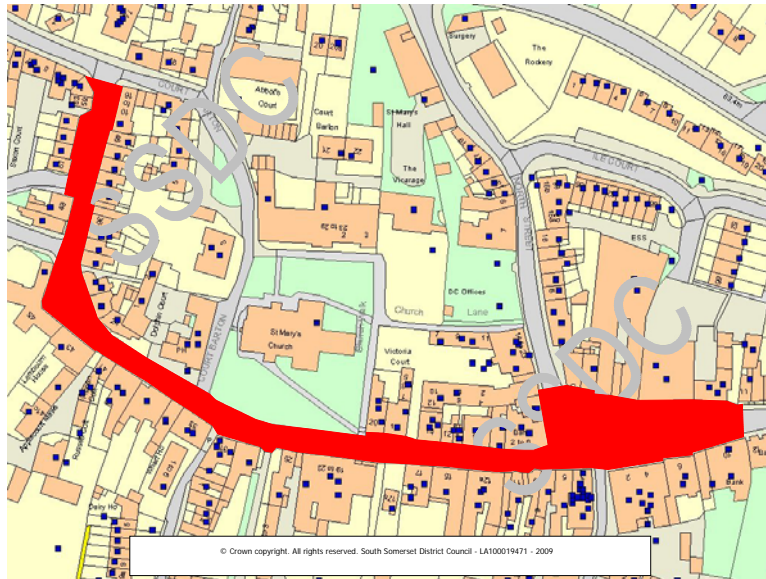
Crewkerne - Market Square and Market Street

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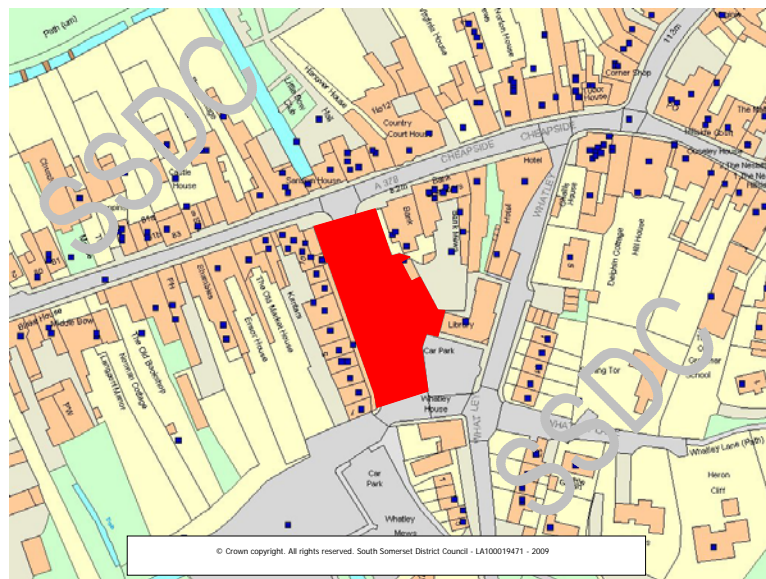
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Ilminster - Silver Street and Cornhill



Langport - Parrett Close

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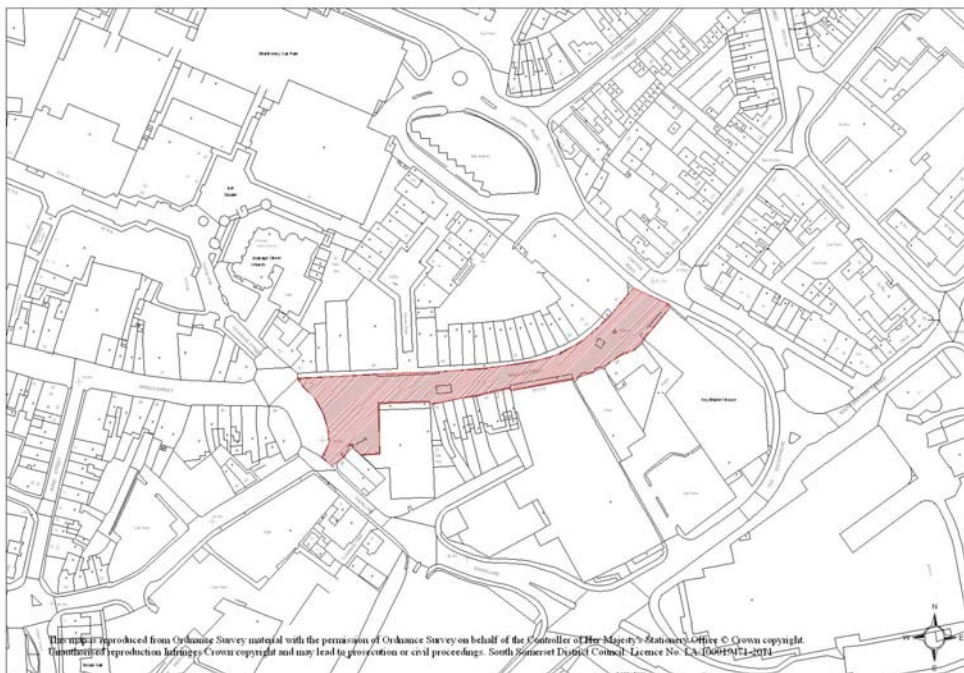
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Yeovil



Yeovil

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Appendix 3

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.