



Public **Fundraising** Association

April 2016

**Site Management Agreement**

# Site Management Agreement

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Between PFRA and North Devon District Council

Prepared by: **Stephen Service**  
Stakeholder & Outreach Manager

+44 (0)20 7401 8452  
[Stephen@pfra.org.uk](mailto:Stephen@pfra.org.uk)  
[www.pfra.org.uk](http://www.pfra.org.uk)

# 1 Purpose

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The purpose and spirit of this voluntary Site Management Agreement (SMA) is to facilitate responsible face-to-face fundraising in Barnstaple Town centre and provide a balance between the duty of charities and 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 the council, providing just one channel for information and support regarding face-to-face fundraisers, as nominated 'gatekeepers' only have to deal with one organisation, the PFRA, instead of dealing with each individual charity and fundraising organisation separately.

## 2 Statement of Conformity

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All fundraisers will abide at all times by the relevant elements of the Institute of Fundraising's [Code of Fundraising Practice](#), and the PFRA's [Rule Book](#), or face the appropriate penalties.

If local authority officers note fundraisers contravening the PFRA's Rule Book or any local clause within the SMA, they will inform the PFRA's Head of Standards by contacting them on 020 7401 8452, providing details of the incident.

## 3 Access Details

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### 3.1 Sites, team sizes, positioning, and frequency

Sites may be used as follows, as shown in the map at Appendix 1:

#### Barnstaple Town Centre:

Frequency: 2 days a week only.

1 charity per day (max 4 fundraisers) to be positioned across the following areas:

#### **Zone 1 (hatched red zone marked on the map)**

Pedestrianised area of Barnstaple High Street, between Butchers Row and Holland Walk.

Capacity: maximum of 2 fundraisers in total.

#### **Zone 2 (red zones marked on the map)**

Pedestrianised area of Barnstaple High Street, between Boutport Street/ Maiden Street and Butchers Row.

Pedestrianised area of Barnstaple High Street, between Joy Street and North Walk

Where fundraisers are found to be working outside of the agreed locations, they must comply with requests made by Local Authority Officials and reposition themselves correctly or as directed on-site.

Fundraising will only be permitted between the hours of 10am and 4pm, which are the times during which the High Street is pedestrianised.

Any exclusion dates (e.g. specific event days) are to be announced by the Council to the PFRA to be booked into the PFRA's diary management system, giving a minimum of 4 weeks' notice to the PFRA from date of diary delivery.

### **3.2 Other Conditions**

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. In furtherance of this, it is desirable that a minimum footway channel of 2 metres be maintained between fundraisers and the kerb / shop frontage where it is reasonable to do so.

Fundraisers should maintain a reasonable distance (of approximately 3 metres) apart from one another and any other legitimate street activities (e.g. street traders, Big Issue sellers, buskers, newspaper stands, promotional activities and market researching) and are to avoid approaching people seated on street furniture or in alfresco dining areas.

Fundraisers are not permitted to secure bags to street furniture, leave them unattended or in a position so as to impede access or egress to premises including any fire exits.

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 a photograph of the fundraiser in accordance with the activity undertaken at the time.

## **4 Information Required**

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### **4.1 Nominated Gatekeeper**

The nominated gatekeeper for North Devon District Council is Mrs Hannah Harrington and her contact details are 01271 321 049 or [hannah@barnstaple.co.uk](mailto:hannah@barnstaple.co.uk) . In her absence all enquiries should be made to [REDACTED] .

### **4.2 Required Information**

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

Copies of the diary are to be made available to:

[licensing@northdevon.gov.uk](mailto:licensing@northdevon.gov.uk)

[hannah@barnstaple.co.uk](mailto:hannah@barnstaple.co.uk)

These contact details shall be updated as and when necessary.

### **4.3 Transition and continuity**

Should the nominated gatekeeper move on or responsibilities otherwise change, the gatekeeper will inform his/her successor of the detail of this agreement, the relationship with the PFRA, arrangements for the regulation of face-to-face fundraising, and provide the PFRA with contact details for the successor.

## **5 Complaint Management**

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PFRA will respond to and seek to resolve all complaints received, and issue penalties according to its rules. The Council will provide real time notification of any complaints it

wishes to be resolved immediately and provide sufficient detail for any retrospective complaints to be investigated. Where the collection agencies or the charities themselves receive complaints it is expected that they will provide information to the PFRA including information about the identity of any individual collector who is subject of a complaint and of the action taken (if any).

Members of the public are encouraged to direct complaints about charity fundraising to the Fundraising Regulator on 0300 999 3404.

## 6 Working Together

North Devon District Council agrees to work with the PFRA to raise awareness regarding this site management scheme, including explaining what face-to-face fundraising is, the PFRA, the Code of Fundraising Practice, and facts about Direct Debit.

The PFRA monitors member organisations, through a programme of random spot-checks, responding to complaints, and other mechanisms, to ensure fundraisers' adherence to the Code of Fundraising Practice, PFRA Rules, and Site Management Agreements. The PFRA can give appropriate penalties or sanctions to those not abiding by the rules. North Devon District Council will be notified of the results of any spot checks carried out.

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.

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:



Print name:

NICK HENRY

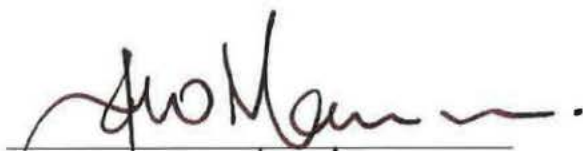
Job title:

HEAD OF STANDARDS

Date:

23/8/2016

Signed For and On Behalf Of North Devon District Council:



Print name:

J.W. MANN

Job title:

HEAD OF SERVICE (EKT/\*)

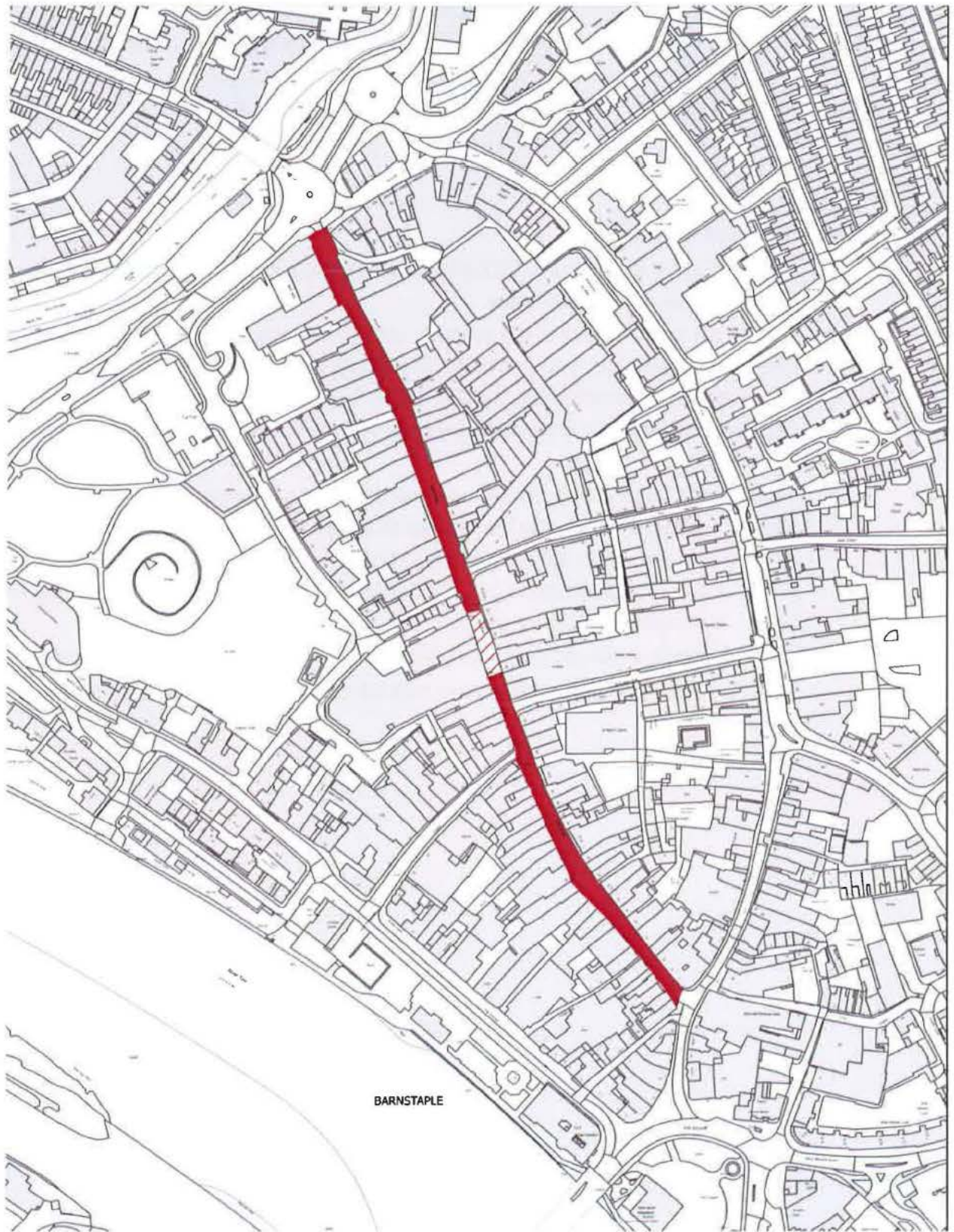
Date:

16/8/16

# Appendix 1 - Map(s)

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

**Barnstaple town centre**



 Civic Centre, Barnstaple EX31 1EA	<h2>Barnstaple High Street</h2>	Copy Supplied to: Kate Nichols  Scale: 1:2500 Date: 24th March 2015
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## Appendix 2 - Direct Debit Guarantee

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### 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.