



Working party on 'rogue fundraisers'

First consultation

September 2009

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1 Introduction

The Public Fundraising Regulatory Association has set up a working party to look at the issue of 'rogue fundraisers' and how the face-to-face and door-to-door fundraising industries can control this issue.

Initially the driver for this was to protect agencies from employees who completed direct debit mandates for 'phantom' donors and who moved between agency and agency with no checks on their behaviour. After its first meeting to set its terms of reference, the working party agreed to expand its remit to look at the issue of all rogue fundraisers who might bring their employer agency or charity they are fundraising for into disrepute.

The working party is looking at how to define and identify rogue fundraisers and how to regulate and control their employment, thus mitigating the effect they have on their employers' professional activities and reputations.

Question 1

Do you consider there to be a problem with 'rogue' fundraisers? Please give brief details of what you deem this problem to be, including an estimation of the number of rogue fundraisers you are currently dealing with or have dealt with previously.

Question 2

Do you agree that this is something the PFRA should attempt to tackle?

2 Rogue fundraisers

Question 3

What do you consider a 'rogue fundraiser' to be?

3a) A person dismissed by a fundraising agency or charity for 'gross misconduct' (as defined by standard HR practice) (this might not include completing mandates for 'phantom donors')?

3b) A person dismissed by a fundraising agency or charity for any purpose not related to their competence as a fundraiser (this could include both phantom donors and gross misconduct)?

3c) A person dismissed by a fundraising agency or charity for any purpose not related to their competence as a fundraiser (such as phantom donors) but falling short of gross misconduct, as defined by standard HR practice?

3d) Any other definition.

Please give reasons for you answer(s).

3 The options

The working party is considering three options to tackle this problem:

- a) A 'blacklist'
- b) An approved register
- c) Standardised reference procedure

a) 'Blacklist'

A 'blacklist' would be a list of people who had been identified as 'rogue fundraisers' that would be held centrally by the PFRA. No-one whose name appeared on this list would be able to work as a street or door fundraiser for any PFRA provider (agency) or user (charity) member.

Question 4

What, if any, data protection issues do you foresee in implementing a blacklist and how might these be overcome?

Question 5

What, if any, legal issues do you foresee in implementing a blacklist and how might these be overcome?

Question 6

What would be the costs (financial and staff time) to your organisation of implementing a blacklist? Please detail implementation and ongoing administration costs separately.

Question 7

What right of appeal would a person have to being included on the blacklist and how could this be exercised?

b) Approved register

An approved register would be a list of all street and door fundraisers currently working for PFRA provider or user members who have passed some form of accreditation process. Only people whose name appeared on the register would be able to get a job as a street or door fundraiser with a PFRA provider or user member.

Question 8

What, if any, data protection issues do you foresee in implementing an approved register and how might these be overcome?

Question 9

What, if any, legal issues do you foresee in implementing an approved register and how might these be overcome?

Question 10

What would be the costs (financial and staff time) to your organisation of implementing an approved register? Please detail implementation and ongoing administration costs separately.

Question 11

What do you think should be the criteria for membership of the approved register? These could include, among others:

- completion of a standard reference procedure (see below)
- completion of fit and proper person checks
- on commencement of employment by a PFRA member (i.e. they are considered approved unless evidence to the contrary is shown)
- By confirming their identity via passport or national insurance number.

Please don't limit your response to the examples given above.

Question 12

At what point should a person be admitted to the approved register?

12a) At the point they start work with a PFRA provider or user member?

12b) On completion of their probation

12c) Any other period.

Question 13

What right of appeal would a person have to being removed from the approved register and how could this be exercised?

c) Standardised inter-agency referencing procedure

Under this procedure, there would be no central register of fundraisers – either a blacklist or an approved register. Instead there would be a standardised referencing procedure that all fundraisers joining a provider or user member and all fundraisers moving between provider or user members would need to go through. No-one would be able to commence employment until their reference procedure had been completed.

Question 14

What, if any, data protection issues do you foresee in implementing a standardised inter-agency referencing procedure and how might these be overcome?

Question 15

What, if any, legal issues do you foresee in implementing a standardised inter-agency referencing procedure and how might these be overcome?

Question 16

What would be the costs (financial and staff time) to your organisation of implementing a standardised inter-agency referencing procedure? Please detail implementation and ongoing administration costs separately.

Question 17

What topics/questions should be included in a standardised referencing procedure?

Question 18

In the absence of a central register, it is possible that not everyone would follow the standardised referencing procedure. How could the referencing procedure be enforced? How could PFRA members be incentivised to use it?

4 Any other considerations

Question 19

Are there any other aspects relating to rogue fundraisers on which you wish to comment?

5 How to respond

Please compile your response in a word document, clearly indicating the question(s) you are responding to. Please provide as much evidence as possible for your arguments, especially regarding costs.

Responses should be emailed in a word document by email to Ian MacQuillin, head of communications at the PFRA (ian@pfra.org.uk), by Monday 28 September 2009.

6 Next steps

The working party will reconvene on October 8th to assess responses and make recommendations. These recommendations will again be put out to consultation to the membership before a final recommendation is made to the PFRA executive board.

7 The working party

- Graham Bunce (chair), general manager, Support Direct
- Milly Ahmed, co-managing director, Gift Fundraising
- Sandeep Bermi, head of training, Fundraising Initiatives
- James Davis, managing director, Dialogue Direct
- Peter Flynn, senior campaign co-ordinator, Action for Blind People
- Richard Verden, head of individual giving, British Red Cross
- Anna Walsh, head of social fundraising, Bluefrog.