

Guidance on Establishing a Site Management Agreement with UK Local Authorities

The aim of a **Site Management Agreement (SMA)** is to facilitate face-to-face fundraising in a given location or locations within a local authority area and provide a balance between the right of the charity to fundraise and the right of the public to go about their business with the least possible impression of inconvenience. It should be noted that the provisions of an **SMA** apply only to "public places" i.e. highways, open spaces etc over which the local authority has a duty of care to provide and protect access (for instance under the Highways Acts).

Typically an **SMA** will address issues such as location and frequency of visits, permitted team sizes, communications channels and so on. It will provide a mechanism for reporting apparent instances of inappropriate activity / behaviour and for receiving feedback on how those issues have been resolved.

Once an agreement is in place it should minimise the administration for all concerned, providing just one channel for information, as the relevant '**gatekeeper**' (see below) only has to deal with one organization, the PFRA, instead of dealing with each individual charity and fundraising organization separately.

By the same token, each local authority should only have one delegated '**gatekeeper**' with which the PFRA deals on a regular basis. In some cases this will be a licensing officer, in others a Town or City Centre Manager, in others, another delegated officer. Local authorities need to determine within their own structures where the authority to conclude an **SMA** is delegated. In seeking to initiate and confirm agreements, the PFRA will always 'default' to the Licensing Department unless otherwise advised. The PFRA is happy to conclude separate **SMAs** for different *sites* with specific conditions / requirements (different towns within a rural borough, for instance) but it will not conclude multiple **SMAs** with different 'gatekeepers' within the same local authority area (i.e. one set of conditions imposed by licensing and a different set imposed by Town Centre Management – for instance).

The table below sets out the typical and ideal contents an agreement should include. It reflects elements typical of those already in place with Local Authorities around the country. It is however only intended as a starting point. Specific details will need to be adjusted in line with the particular conditions of each location. The PFRA aims to work with each 'gatekeeper' to develop suitable tailored agreements covering every potential site. The elements are typically set out as in the attached dummy document

It should always be remembered that an SMA is a *voluntary* agreement. It does not supersede or replace either parties' rights and obligations under any relevant statutes (such as the Charities Acts, Local Government Acts etc.). It is however intended to be both –

- **robust and durable** : providing a 'gatekeeper' with a long-term assurance of methodologies, behaviours and practices; and
- **flexible and responsive** : allowing both parties to effect reasonable changes to reflect public need (such as road works, special local events etc) and consumer demand (seasonal differences in patterns of footfall, increasing response rates etc.)

The PFRA will always enter into an SMA in the spirit of encouraging and enforcing best practice, responsible self-regulation, and respect for local conditions, and facilitating the best possible fund-raising experience for every member of the public.

| Example Site Agreement | Notes |
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| STATEMENT OF CONFORMITY | |
| 1) Code of Practice All fundraisers will abide at all times by the PFRA / Institute of Fundraising abridged code of practice. | <i>This statement should be all that is necessary to ensure fundraisers are polite and professional.(see attached).</i> |
| ACCESS DETAILS | |
| 2) Location(s) Fundraisers will stand on one of three sites:- <ol style="list-style-type: none"> High Street, pedestrian area only. Station Road, on south side only, from the bollards to 2m from the pedestrian crossing. Market Street, between the supermarket and St Peter's Church. | <i>The number of suitable sites in any one authority will vary depending on a variety of factors such as demographics, rural / urban area etc. The PFRA can advise on possible suitable locations. It is recommended that fundraisers do not move sites during the course of one day. Experience has shown that the public prefer fundraisers to maintain a fixed presence, as this allows those who do not want to interact to note the location after the initial encounter and make their arrangements to avoid it thereafter.</i> |
| 3) Alternate Location(s) If one of the above sites is not available on any given day a back up site can be used outside St Mary's Church | <i>If one of the sites is unusable due to roadworks etc. "Back-Up" sites are not normally used except in agreed extreme situations</i> |
| 4) Team Size Teams will comprise of between 2 and 6 fundraisers at each site, with no more than 4 on Station Road. | <i>Team size is set at a minimum of 2 persons to ensure the safety of fundraisers, and a maximum of 6 to prevent public perception of 'saturation'. The PFRA has a system for grading sites depending on the flow, volume and density of pedestrians, and will be able to recommend suitable numbers for each site.</i> |
| 5) Positioning Fundraisers should be positioned in such a way to offer an adequate 'comfort zone' to those users of the town centre who do not wish to engage. | <i>This statement should be all that is necessary to ensure that members of the public who do not wish to engage will not be impeded in their progress. Fundraisers will not block doorways or impede access to shops, cashpoints etc.</i> |
| 6) Frequency Fundraisers will visit on no more than 5 days out of 7 | <i>This does not mean that teams will be in position on all 5 days, but sets a maximum limit. Fundraising organisations are extremely concerned to prevent a perception of 'saturation' and the site will regularly be left 'fallow' when no fundraising will take place.</i> |
| 7) Exceptional Conditions Fundraisers will not stand on Market Street on the first Wednesday of every month when the market is running. | <i>There may be occasional exceptions depending on local events such as markets, fairs, processions etc.</i> |

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| INFORMATION REQUIRED | |
| <p>8) Nominated "Gatekeeper" The PFRA will inform the [nominated "gatekeeper"] - A.Person By email a.person@local.authority.gov.uk One week in advance</p> | <p><i>Who within the Local Authority needs to be kept informed of fundraising activity? Should they be contacted by phone, in writing or by email? How much notice is required? You may however decide this information is no longer necessary once the scheme running smoothly.</i></p> |
| <p>9) Required Information The PFRA will provide the nominated "gatekeeper" with the following information Contact name at Fundraising Organisation? Charity being fundraised for on each day? Other?</p> | <p><i>What information should be provided? If any difficulties are encountered, the PFRA should be the first point of contact, however further information can be provided if required. Details of the fundraising organisation or charity are sometimes requested by Town Centre Managers.</i></p> |
| WORKING TOGETHER | |
| <p>10) Promoting Public Confidence The local authority agrees to work with the PFRA to publish information regarding the scheme including explanations on what face-to-face is, the agreement it has entered into with the PFRA to manage it, how the public are protected by the PFRA Code of Practice, and facts about Direct Debit security.</p> | <p><i>The PFRA is working to counter public misconceptions regarding face-to-face fundraising, to reassure them of the importance and cost effectiveness of these activities to the charities involved.</i></p> |
| <p>11) Dealing with Complaints The PFRA will inform the local authority of any complaints received and conversely any feedback to the authority will be forwarded to the PFRA.</p> | <p><i>The PFRA has a clearly defined complaints procedure and regards infringements of the SMA or code of practice as serious disciplinary matters. Further opportunities for the public to complain will be provided by the Fundraising Standards Board when it is launched in Autumn 2006</i></p> |
| <p>12) "Mystery Shopping" The PFRA will police member organizations, through a programme of random spot checks to ensure fundraisers adherence to the code of practice and site agreement.</p> | <p><i>The PFRA has commissioned an independent organisation to interact with fundraisers and report on compliance to the code of practice and site agreement.</i></p> |
| REVIEWS & AMENDMENTS | |
| <p>13) Periodicity of Review Procedure The parties agree to review this SMA not less than [insert period] and agree that all permanent amends will be agreed in writing before becoming effective.</p> | <p><i>The PFRA recommends that each SMA is reviewed not less than once every three years and not more often than once every six months.</i></p> |