PSPO Face to Face Fundraisers (Commonly known as “Chuggers”) Procedure

Introduction

1.0 Face-to-face fundraising is the personal solicitation (almost always by a professional fundraiser) of a regular charity donation via a direct debit.

1.1 Charity cash collections on the street – the type usually done by volunteer ‘tin rattlers’ – need a licence from the council under the Police, Factories etc (Miscellaneous Provisions) Act 1916.

1.2 Since the Act states specifically that licences are only required for collections of money and Direct Debits are not considered to be money in law: they are ‘promises of money’ at a later date, chuggers are outside of the licensing regime.

1.3 As part of the Public Spaces Protection Order, there is now a requirement for authorisation from the Council for any face to face fundraising in the area covered by the PSPO. To accompany that Authorisation a set of conditions (appendix 4) will be applied reflecting those requirements placed on other street collections, to create a level playing field.

1.4 A plan showing the PSPO area is attached (appendix 1).

Process

2.0 The process for authorising fundraising is as follows:

a. Any person or organisation wishing to carry out face to face fundraising within the PSPO area must submit an application for authorisation at least 28 clear days before the fundraising is due to take place.

b. The application for Authorisation to carry out face to face fundraising is attached (appendix 2). The application form must be submitted and sent to: Economic Development, Kettering Borough Council, Bowling Green Road, Kettering, NN15 7QX

2.1 The Council will supply a letter of permission to the organiser (appendix 3). The letter of permission will be in the name of the individual who will be on site and have responsibility for the fundraising during the time that the fundraising is taking place.

2.2 If required to do so the named individual will produce the letter of authorisation to a Police Officer (including a Police Community Safety Officer) or an officer of Kettering Borough Council (upon production of identification if requested).

2.3 The Authorisation will contain the conditions of the fundraising. Failure to meet any of the conditions will be a breach of the Public Spaces Protection Order and will be dealt with accordingly.
Appendix 2

APPLICATION FOR FACE TO FACE FUNDRAISING

1. Name of Organiser

2. Address and contact details of Organiser

<table>
<thead>
<tr>
<th>Telephone Number</th>
<th>Mobile Number</th>
<th>Email</th>
</tr>
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3. Name, Address and Registered Charity Number of the Charity for which the fundraising is being carried out.

4 Name, Address and contact number of individual responsible on site for the fundraising

5. Date(s) when you want the fundraising to take place:

6. Between what times of day?

7. Name of street(s) in which fundraising is to take place?

8. Number of collectors in each street (max 4 in total for the area).

9. Has the applicant been convicted of any crime or offence arising out of the promotion of a public charitable collection, or any offence involving dishonesty?  YES/NO

If YES, please give details.

Date of Application: .............................................

Signature of Applicant: ........................................................................................................................................

Print Full Name: ........................................................................................................................................

By completing and signing this application you are agreeing to comply with the conditions of any authorisation issued. The Authority reserves the right to amend or specify the location, dates and/or times permitted.
Appendix 3
KETTERING BOROUGH COUNCIL
PUBLIC FUNDRAISING CONDITIONS

1. In these Conditions, unless the context otherwise requires:-

"Fundraising" means Face to Face fundraising which is the solicitation of a regular gift to charity, usually by direct debit or standing order and refers to any street charity collection which falls outside of the requirements of the Police, Factories, etc. (Miscellaneous Provisions) Act 1916 and associated legislation. The word "collector" shall be construed accordingly;

"Promoter" means a person who causes others to act as fundraisers;

"The Council" means Kettering Borough Council;

"Written Authority" means an Authority for fundraising;

"Contributor" means a person who signs up to the fundraising.

“Aggressive” means behaving or done in a forceful way;

“Assertive means” means having or showing a forceful personality;

2. No fundraising shall take place in any street or public place within the area designated by this Public Spaces Protection Order (the Order) unless a promoter shall have obtained from Kettering Borough Council written authority to do so.

3. Application for written authority to fundraise within the area covered by the Order shall be made in writing not later than 28 days before the date on which it is proposed to carry out the fundraising.

4. No fundraising shall take place except upon the day(s) and between the hours stated in the written authority.

5. The Council may, in granting permission, limit the fundraising to such streets or public places or such parts thereof as it thinks fit within the area of the Order.

6. (1) No person may assist or take part in any fundraising without a written authority being in place from the Council.

(2) Any person authorised under paragraph 6(1) above shall produce such written authority forthwith for inspection on being requested to do so by a duly authorised officer of the Council or any police officer or PCSO.

7. No fundraising shall take place in an aggressive or assertive manner or in a way that is likely to inconvenience or annoy any person.

8. No collector shall harass any person to the annoyance of such person and specifically shall not speak to any potential contributor without being spoken to by that person first.

9. While fundraising:-
(a) a collector shall remain stationary;
(b) a collector shall not be nearer to another collector than 25 metres and
(c) a collector shall wear clearly visible identification to enable them to be readily identified as a collector and the charity for which the collection is taking place.

11. No more than 4 collectors will be permitted within the area covered by the Order at any one time.

12. No promoter, collector or person who is otherwise connected with the fundraising shall permit a person under the age of sixteen years to act as a collector.

12. Within one month after the date of any fundraising the person to whom the written authority has been granted shall forward to the authority:

(a) a statement detailing the date of the collection, the number of direct debits collected during the collection and the total monthly monetary value of those direct debits.

(b) a list of the collectors:

13. Failure to submit the return will result in further applications for fundraising from the organiser responsible being refused.