

## Appendix 2

### PUBLIC CONSULTATION RESPONSES

#### Alterations to Draft House to House Collections Policy:

1. Date: 24<sup>th</sup> May 2021  
**Comment from resident:** 'I would like to see priority given to local charities where money raised stays in the local area'. (Paragraph 3.1)  
**Action: No action required, in line with proposed policy.**
  
2. Date: 26<sup>th</sup> May 2021  
**Comment from resident:** 'I am unhappy about the "get out" clause which permits WDC to ignore the policy if it so decides. The policy should always be adhered to.' (Paragraph 2.20)  
**Response:** Officers are often advised by Legal services that policies should not be 'slavishly adhered to'. **Legal Services have been part of the development process for this policy and have not commented on this statement.**  
**Action: Legal advice requested.**
  
3. Date: 8<sup>th</sup> June 2021  
**Comment from Chartered Institute of Fundraising:**  
2.2- "Only one collection to take place in any of your five areas per day." We feel that this limits opportunities for charities to fundraise as the Leamington Spa and Warwick areas will likely be more popular than others. We therefore kindly ask you to consider splitting each of these two areas in half, creating four prime areas where fundraisers can carry out door-to-door collections.  
**Response:** Officers feel that further splitting the District up will complicate the processing and issuing of Licences. This is a statutory service that we cannot make a charge for, therefore any additional processing time is 'funded' by the residents of the district.  
**Action: For discussion by members.**
  
4. Date: 8<sup>th</sup> June 2021  
**Comment from Chartered Institute of Fundraising:**  
2.8- "If more than one organisation applies for a licence for the same date at the same time, then preference will be given to the more local organisation." Although we support local organisations and recognise their role in enhancing communities, we have found that many do not have the capacity to carry out door-to-door collections. Equally, we feel this approach has the unintended consequence of limiting opportunities to donate to international development charities, such as Oxfam or ActionAid, who are raising money to eliminate extreme poverty. We therefore feel that you should remain with your position in point 2.7- collections should be booked on a first come, first serve basis; we agree that this gives both large and small organisations equal access to popular dates.  
**Response:** Officers feel that in the very rare circumstance that 2 charities apply at the same time (for the same dates) the local charity should be given priority. As the respondent states in the comment, most local charities would struggle to have the capacity to run a house to house collection.  
**Action: For discussion by members.**
  
5. Date: 8<sup>th</sup> June 2021  
**Comment from Chartered Institute of Fundraising:**

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2.16- "The PFRA no longer exists. Equally, we no longer have a Fundraising Face to Face Activity Code. We therefore recommend you update this point to require that all fundraisers follow the Code of Fundraising Practise, set by the Fundraising Regulator."

**Action: Changes made.**

6. Date: 8<sup>th</sup> June 2021

**Comment from Chartered Institute of Fundraising:**

2.21- "Exceptions to this policy may be made for collections such as the Royal British Legion's Poppy Appeal and Santa collections". We suggest that you clarify which activities would qualify as exceptions to help charities better prepare their license applications.

**Response:** The full paragraph reads "*Exceptions to this policy may be made for collections such as the Royal British Legion's Poppy Appeal and Santa collections within the District and when natural disasters have occurred such as a tsunami's and earthquake's.*" Officers believe that this phrase is adequate as to be too prescriptive will lead to further complication and pre-application involvement from the team.

**Action: For discussion by members.**

7. Date: 8<sup>th</sup> June 2021

**Comment from Chartered Institute of Fundraising:**

3.8- "Warwick District Council may, in granting a licence, limit the collection to such streets or areas or such parts thereof as it thinks fit and are specified on the licence". In order to help fundraisers better plan their activities, we would suggest giving further clarification on how and why this would occur. Similarly, we hope that if you were to limit which streets a collection could take place on, you would do so in consultation with the charity or agency to avoid excessively restricting fundraising.

**Response:** Officers have never had to restrict a collection to date but feel that there could be times where they may need to. For example, the Commonwealth Games will be visiting various parts of the District in 2022 and there may be significant disruption to residential streets at times. Restricting licences may be necessary to ensure that security is not compromised at any time.

**Action: For discussion by members.**

8. Date: 8<sup>th</sup> June 2021

**Comment from Chartered Institute of Fundraising:**

3.11- "No collection shall take place outside the hours of 9 am to 7 pm." Our members regularly carry out collections until 9pm and the Code of Fundraising Practise supports this. We therefore ask that you update this, extending the collection hours to 9pm in line with current best practise.

**Response:** Officers feel that residents should not be approached beyond 7pm (especially in the winter months).

**Action: For discussion by members.**

9. Date: 8<sup>th</sup> June 2021

**Comment from Chartered Institute of Fundraising:**

3.20- "The Council will consider refusing an application where less than 70% of the value of the collection is being donated to the charity named in the application" and "The Council will give consideration to refusing an application where the amount of remuneration is greater than 30% of the value of the collection." We agree with you that the cost of carrying out a collection must be proportional to the amount of money that goes to its cause, however,

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these statements are only applicable to cash collections and do not take into account the difficulty of calculating the value of direct debits. As these are regular donations that can last a number of years, it is impossible to determine their precise value at the end of a collection. Given that direct debits are now the most common public fundraising product, we recommend that you update this to recognise that it will not be possible to immediately demonstrate their value.

**Response:** The issue raised is for direct debit collections, which cannot be included in this policy.

**Action: No action taken.**

10. Date: 8<sup>th</sup> June 2021

**Comment from Chartered Institute of Fundraising:**

3.21- "If returns have not been supplied to the Council after previous licensed collections, then any further applications are likely to be refused." Although this is a legal requirement, it pre-dates direct debit collections meaning that fundraisers will not be able to accurately report their returns. Instead, we recommend you ask for confirmation of how many direct debits were secured and their monthly value. Eg: 10 direct debits, each giving £5 a month.

**Response:** The issue raised is for direct debit collections, which cannot be included in this policy.

**Action: No action taken.**

11. Date: 8<sup>th</sup> June 2021

**Comment from Chartered Institute of Fundraising:**

3.3- "Applicants must supply information relating to... A written agreement between the charity and the collecting organisation." We feel it is unclear whether you are asking charities and their partners need to provide a written acknowledgement that they have an agreement, or if you would like a copy of the contract between them. With this in mind, we recommend you clarify the wording, noting that it is not possible to share contracts as they are commercially sensitive information.

**Response:** Officers have received many forms of 'written agreement' in the past and believe that this form of words allows applicants to provide suitable proof of their status without limiting or restricting them in any way.

**Action: For discussion by members.**

12. Date: 8<sup>th</sup> June 2021

**Comment from Chartered Institute of Fundraising:**

3.13- "The person to whom a licence has been granted shall forward to the Council... a list of the amounts collected in each collecting box." Our members do not carry collection boxes, instead using cashless technologies such as QR Codes and recurring payment software. We therefore ask that you acknowledge this requirement is only applicable to cash collections.

**Response:** Section 10 of the House to House Collections Regulations 1947 refers to the "Collection of money". Paragraph (2) states that "*Where a collector is collecting money by other means than a collecting box, he shall, upon receiving a contribution from any person, forthwith and in the presence of such person enter a form of receipt in a receipt book issued to him by a promoter of the collection and on the corresponding counterfoil or duplicate the date, the name of the contributor and the amount contributed, and shall sign the form of receipt, the entries and signature being in ink or indelible pencil, and shall hand the form of receipt to the person from whom he received the contribution*", therefore officers feel that

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this part of the policy could be equally applied to one off 'contactless' activities, but would not be applicable to 'recurring payments' such as direct debit orders.

**Action: Legal advice requested.**

13. Date: 8<sup>th</sup> June 2021

**Comment from Chartered Institute of Fundraising:**

3.17- "The Council may refuse to grant a licence or, where a licence has been granted, revoke that licence where it appears to the Council that... the remuneration by any person is excessive". Some fundraisers are paid commission based on the total value of the first year of the direct debit payments they secured, making it hard to determine what if their income is at the end of a collection. We would therefore like clarification on what would be considered excessive remuneration, acknowledging that direct debits are now the most common public fundraising product.

**Response:** The issue raised is for direct debit collections, which cannot be included in this policy.

**Action: No action taken.**