The Code of Fundraising Practice

Report from the public consultation conducted by Light & Shade Research

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Written by:
Neil Caffery
Partner

Email : neil@lightandshaderesearch.com
Web : www.lightandshaderesearch.com

CONTENTS

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EXECUTIVE SUMMARY

INTRODUCTION AND AIMS

The Fundraising Regulator sought the views of the sector through a consultation process and wanted to extend the consultation to a wider audience by directly engaging with the general public. They commissioned Light & Shade Research to conduct three deliberative workshops with the general public. A total of 66 members of the public attended the three hour workshops across three locations: Watford, Cardiff and Manchester in April and May 2017.

The workshops sought to answer the following areas of enquiry relating to fundraising and to The Code of Fundraising Practice:

- What are the public's views on fundraising, fundraising regulation and the Fundraising Regulator?
- How does the public gauge whether undue pressure has been applied during a fundraising interaction (part B of consultation)?
- What does the public expect from fundraisers with respect to vulnerable persons (part E of consultation)?
- How does the public regard the disclosure statement from third parties and at what point in the fundraising interaction should this statement be made (part C of consultation)?

SUMMARY OF FINDINGS

Giving to charity was regarded by the majority as a good thing to do and this positivity was strengthened when the charitable cause was something the individuals were interested in or felt that they cared about. The sense of connection to a charity was further strengthened if there was also a personal or local connection between charity and donor.

The most negative associations with charities and charitable giving were linked to larger, national charities who were sometimes accused of being business-like or corporate in their demeanour. Of principal concern was the question of how much of a donation reaches the end user or cause and how much is used to finance the charity's overheads, salaries (executive and non-executive), administrative costs and other expenses.

The public also expressed a preference for local fundraising events, such as coffee mornings or sporting events, as opposed to larger-scale, public and more organised approaches to fundraising. The fundraising landscape as viewed by the public was dominated by negative associations with on-street (and to a slightly lesser extent door to door and telephone) fundraising activities. These activities were regarded as being typified by: high pressure sales approaches; ubiquitous fundraisers in particular parts of a town or city; an invasion of privacy and personal space; and an experience based

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on engendering feelings of guilt in the public. Some participants described being overwhelmed and feeling as if they were being constantly asked to donate.

Awareness of fundraisers being paid and the usage of third parties was mixed and there was a relatively negative perception across the workshops in this regard. The public objected to the perceived lack of transparency in these relationships and grew concerned about the cost to charities.

There was no prior awareness of the Fundraising Regulator (or previous regulatory arrangements) but the public was reassured to discover that fundraising was regulated. A higher public profile for the Fundraising Regulator was called for and the public could ensilage a role for the Regulator as a means of registered charities showing their commitment to high standards. This could potentially increase public confidence in the sector.

Defining undue pressure in the fundraising ask was challenging for the public and recognized as similarly vexing for the Regulator.

The public interpreted undue pressure as a combination of the content, tone and style of the fundraising asks and these elements were as important as the number of asks.

Through the use of five fundraising scenarios which were presented to each workshop (see Appendix B) a number of potential indicators relating to style, content and tone of approach were identified:

- Prompting the potential donor with a high suggested donation
  o Not appropriately adjusting the amount during the conversation
- Referring to the potential donor's personal life and behaviours in order to provoke feelings of guilt
- Refusing to actively listen to and observe the signifiers provided by the potential donor during the exchange
- Conveying an overt sense of urgency in the interaction
- Adopting an aggressive or overly sales-led style

Members of the public preferred a fundraising approach that was rooted in active listening, understanding the potential donor and establishing an empathetic connection between fundraiser and donor. They also preferred monetary discussions to be specifically linked to beneficial activities carried out by the charity

Applying a rule relating the number of 'asks' was challenging despite serious debate within the workshops. Three 'asks' was regarded as being absolutely the upper limit of what could be acceptable and most participants would accept this only if it was clear that interactions should be terminated earlier than three if there was any indication that the member of the public was not keen to continue.

Some older participants preferred a maximum of two asks as they were concerned about whether they would feel sufficiently confident to outright reject the approaches of a fundraiser due to their own desire to remain polite. The younger participants were

more accepting of three asks and felt more confident in their ability to firmly extricate themselves from any exchange.

The responsibility for ensuring that fundraisers adopted positive behaviours was placed upon the fundraising organisations themselves.

Identifying potentially vulnerable persons was considered by the whole sample to be highly challenging. Whilst the responsibility to recognise indicators of vulnerability was placed on individual fundraisers the public clearly stated that they saw this as a potentially problematic area and were clear that fundraisers should, where possible, avoid pre-judging potential donors based on appearances or other outward behaviour. It was felt likely that vulnerability indicators would need to identified during the fundraising interaction and when this occurred the public expected fundraisers to sensitively terminate the discussion.

Training fundraisers to recognise indicators of vulnerability was regarded as vital and was seen as the responsibility of the fundraising organisation.

Whilst there was no strong desire to see an overly punitive process if fundraisers, in good faith, raised funds from a vulnerable person, the public suggested a 'no questions asked right to reply' for anyone, or their representative, to claim a refund if they donated via a fundraiser whilst they were vulnerable. A potential pre-emptive measure suggested by some participants was to establish an opt-out service for telephone fundraising that vulnerable persons or their representatives could register with.

The inclusion of a disclosure statement in interactions with third party fundraisers was welcomed by most as it would drive greater transparency in the sector. However, a minority or participants were concerned that this could potentially damage charities' ability to raise funds, particularly if the statement was required to be read out at the outset of the interaction.

Consensus on when to disclose third party status was reached. The statement should be read out prior to any financial commitment or donation was made. The public believed that this provided them with the opportunity to make an informed decision at this point.

Therefore the proposed change to The Code in this respect was approved by the public.

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1. INTRODUCTION AND BACKGROUND TO THE RESEARCH

The Fundraising Regulator was established in January 2016, following widespread public and media concern about how charities contact potential donors.

Following Sir Stuart Etherington's 2015 review into the self-regulation of charity fundraising the Government accepted the review's recommendations in full. These included:

- A new single regulator should be established to investigate poor fundraising practice and assume the role of setting standards (the "Code of Fundraising Practice")
- The new regulator should have strong links with the Charity Commission, and with the Information Commissioner's Office in order to ensure that charities followed its rules
- A new Fundraising Preference Service ("FPS") should be created that would enable the public to opt out of fundraising communications

The Fundraising Regulator assumed responsibility for regulating fundraising from 7th July 2016 and will operate the new Fundraising Preference Service once this is developed.

Included in the Fundraising Regulator's remit is the maintenance of the Code of Fundraising Practice and in 2017 the Fundraising Regulator conducted its first consultation on the Code.

The Fundraising Regulator sought the views of the sector through a consultation process and wanted to extend the consultation to a wider audience by directly engaging with the general public. The Fundraising Regulator commissioned Light and Shade Research, an independent research consultancy, to conduct this public consultation.

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2. METHODOLOGY, SAMPLING AND AREAS OF ENQUIRY

This consultation was undertaken using a qualitative research approach. Three deliberative workshops were conducted, each lasting 3 hours. The workshops were held in Watford, Cardiff and Greater Manchester during April and May 2017. Fundraising Regulator representatives attended each workshop.

A total of 66 members of the public participated in the consultation. The audience was sampled and recruited to take part according to various criteria:

- Even male / female split
- Range of socio-economic groupings across BC1C2D
- Each workshop was sub-divided into three sub-groups:
  - Pre-Family and Young Family
  - Older Family
  - Empty Nester
- Mix of attitudes and behaviours relating to current and past charitable donations
  - The whole sample were non-rejectors of potentially giving to charity
  - Represented at each workshop were individuals who:
    - Currently gave regularly to one or more charity
    - Had previously given regularly to one or more charity but were currently not doing so
    - Had given one or more ad hoc donations to charity

The overall objective was to understand public perceptions of the proposed changes to the Code of Fundraising Practice and each workshop addressed the following areas of enquiry:

1) Discover public perceptions of:
   - Fundraising & Fundraising Regulation
   - Fundraising Regulator
     i) Learn what impacts public views
2) How does the public gauge whether undue pressure has been applied during a fundraising interaction?
   - What is good / bad practice during the fundraising interaction?
3) What does the public expect from fundraisers with respect to vulnerable persons?
4) How does the public regard the disclosure statement from third parties and at what point in the fundraising interaction should this statement be made?

A discussion guide was designed by Light & Shade Research and approved by the Fundraising Regulator. This is available for reference in Appendix A.

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3. PUBLIC PERCEPTIONS OF CHARITABLE GIVING AND FUNDRAISING

CHARITABLE GIVING

The majority of participants had given, in some way, to a charitable cause either historically or on a continuous and current basis at the time of the workshops. These acts of giving were wide ranging and included:

- Financial gifts
  - Regular donations by direct debit to one or more charities
  - Ad hoc cash donations to charity boxes, buckets or tins
  - Ad hoc donations to major campaigns such as Comic Relief, Sport Relief or Children in Need
  - Sponsoring others for their participation in sporting, or other, activities
  - Attending ticketed charity events eg. Dinners or auctions
  - Participating in small, local events like Macmillan coffee mornings, cake sales or fairs etc
- Clothing or other goods
  - Typically donating to a charity shop or collection, or food bank
- Time
  - Taking part in an event and seeking sponsorship
  - Assisting with the organization of events

In general the act of giving to charity in any form was regarded as a positive act which benefits not only the charity but also the donor who is enabled to enjoy a 'feelgood factor' for having given.

"You feel like you're doing your bit." PRE / YOUNG FAMILY Manchester

"Spontaneous – something will just touch you and you think – I should do something about that." EMPTY NESTER Manchester

Participants were more likely to donate to a charity to which they felt a strong connection and this was often described as being likely to be:

- Local to their own area
- Of personal significance to them and their friends or family (for example a health-related charity if they had been affected by an illness, animal charities, local schools, hospitals and the wider community)
- Involving someone they personally know who may be organizing an event or participating in an activity such as a walk or run
- Something where they received a small return on their donation such as a cake sale or social event

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There was a strong sense among the audience that events or activities organized locally by volunteers were easier to donate to than what they perceived to be larger, corporate activities.

In fact most of the negative associations with charitable giving were generated when workshops began to discuss larger, national charities and three key issues emerged:

1. Lack of understanding of how much of their donation reaches the charitable cause and end users
2. Dissatisfaction with reports of high overheads including executive, and other staff, salaries
3. Perception that charities are too business-like and seemingly focused on generating money rather than helping their causes

"If it was someone I know doing the London marathon and they send me their Virgin giving page I'd be more inclined to trust them." PRE / YOUNG FAMILY Watford

"I used to give to charity but I stopped because you just don't hear where your money is going." PRE / YOUNG FAMILY Manchester

"How much goes to charities?...What do charities actually do with the money?...The salaries these people have...we need more transparency on salaries." EMPTY NESTER Watford

CHARITY FUNDRAISING

Top of mind associations with charity fundraising were largely negative. Excluding local events, which were usually positively regarded, the fundraising landscape as viewed by the public was dominated by negative associations with on-street (and to a slightly lesser extent door to door and telephone) fundraising activities.

"I think chuggers get a bad press...there's one in every shop doorway. You end up doing a detour to avoid them as you're bombarded by them all the time. I understand why they do it but I don't know if there's another way...and they're asking for your bank details in public...I'd ask them for a form." EMPTY NESTER Manchester

The key issues that provoked a negative regard of fundraising were:

- Invasion of privacy and personal space
- High pressure sales experience
    - Irritating and persistent approaches in public
    - Aversion to giving out bank details in public
- Public is made to feel guilty
    - Accusations of emotional blackmail (also evident in television advertising)
- Public fundraisers seemingly ubiquitous
    - Particular parts of towns and cities frequently targeted by fundraisers

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o Leads to feelings of being overwhelmed and being constantly asked to donate

"Why would anyone in their right mind give their bank details out in the middle of the street?" EMPTY NESTER Watford

"But the way it's done on the street is not always how I want to give money...the way they pressure society...they make you feel guilty if you don't give." PRE / YOUNG FAMILY Cardiff

"They try to touch on your emotions...You get bombarded on tv and it does get you emotionally doesn't it?...It's a negative thing at that time of night...you feel guilty." EMPTY NESTER Manchester

"You get them knocking on your door...I don't like it very much – I feel obligated." EMPTY NESTER Cardiff

"They recruit guys... They're not people who are passionate...(they don't say) "I was in a Barnado's home and it's something close to my heart", it's just some kid...it's just a job." FAMILY Manchester

"There's too much nagging by all these charities all the time." FAMILY Cardiff

Personal experience of fundraising was the key driver of dissatisfaction with fundraising and most participants had experience of being approached by a fundraiser with a minority having set up a regular gift. This experience was much more significant than the media coverage of fundraising issues over recent years and only a minority of participants, mainly empty nesters and some family life stage, referred obliquely to Olive Cooke and Kids Company.

An Introduction to charity fundraising

All workshops were presented with 'An Introduction to charity fundraising' which is included in Appendix B. The purpose of this presentation was to ensure that all participants were made aware of how fundraising works to enable them to comment meaningfully on later discussions relating to the Code of Fundraising Practice. Following this presentation workshops were briefly asked for their views on the information, with particular focus on the usage of third parties in fundraising.

A substantial minority of participants were not previously aware that some charities paid either in-house or third party fundraisers. They had assumed that all fundraisers were volunteers. Others who were vaguely aware that some fundraisers were paid by charities were uncertain about the relationship between charities and third parties and part of the sample was not previously aware that third parties were used to raise funds, assuming that fundraisers they encountered were directly employed by the charities in question.

The usage of paid fundraisers divided opinion across the sample and within life stages and geographies. A minority expressed negative views relating to third parties and

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paid fundraisers, preferring that charities would only use volunteers, despite having had rationale for using third parties explained in the presentation. Others took the view that third parties and other paid fundraisers would likely help to increase the overall fundraising take for a charity and were somewhat more accepting of the arrangement.

However, it is important to note that there was a large degree of consensus across the sample that these fundraising arrangements had the potential to have a detrimental effect on the reputation of charities and fundraising and the public's propensity to donate.

The principal issue with the relationship between third parties and charities was the question of how much the fundraiser, and their organization, is paid. This was regarded as part of the overall concern regarding how much of a donation reaches the end user and further exacerbated this issue. In some cases the discussions provoked anger and highly emotional responses on the subject with several participants claiming that this knowledge would discourage them from donating to a charity.

A secondary concern related to the question of disclosure. Several participants had had experience of fundraisers disclosing that they were being paid for their activity. For some this had resulted in withdrawing their offer of a donation, but for others this information had had no negative impact on them. The general consensus was that fundraisers should be obligated to disclose that they were being paid for their activity. Further detail on disclosure is available in chapter 6 below.

Thirdly, a minority of participants questioned whether fundraisers were paid on commission and expressed a concern that if they were this could lead to further high pressure sales approaches being used.

"For every pound donated, how much is going to here?...I think it's fundamentally wrong...It can lose the heart of what the charity is about...It can lose a bit of integrity."
FAMILY Watford

"It is pressure selling. They're looking for you as a target to get money off." PRE / YOUNG FAMILY Cardiff

"If they've got so much money that they can employ a third party...is it all about profit and how much goes to the cause and how much on marketing?" PRE / YOUNG FAMILY Cardiff

"I asked – are you getting commission – and they said yes and I said I'm not giving you a penny." EMPTY NESTER Watford

"I thought they were volunteers, I didn't know they were getting paid...They should have a badge that says I'm from Marie Curie but work for another company – but I'm not sure if that would put people off giving...I think it probably would." EMPTY NESTER Cardiff

"If they are getting paid then there's a duty that they inform you." EMPTY NESTER Manchester

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"I don't think you trust it as much if it's a third party and the money's not going direct."
PRE / YOUNG FAMILY Manchester

An Introduction to Fundraising Regulation and the Fundraising Regulator
All workshops were presented with 'An Introduction to Fundraising Regulation and the Fundraising Regulator' which is included in Appendix B. The purpose of this presentation was to ensure that all participants were made aware of how fundraising is regulated, and specifically the existence of the Fundraising Regulator and the Code of Fundraising Practice, to enable them to comment meaningfully on later discussions relating to the proposed changes to The Code. Following this presentation the workshops were briefly asked for their views on the information.

There was no prior awareness of the Fundraising Regulator but on learning of its existence there was near unanimous approval that fundraising was regulated to some extent. Generally the main benefit of the presence of a regulator was one of reassurance that unscrupulous practices could be detected and quashed. The whole sample welcomed the information about the regulator but it is worth noting that the youngest sub-groups in the sample were the most positive voices in this regard claiming that their confidence in the sector had increased based on this knowledge.

"Seeing that gives me more confidence now, that I didn't have before that…I think it should be talked about more…it might make people more likely to donate." PRE / YOUNG FAMILY Manchester

"I didn't know about this…It's a very good thing." EMPTY NESTER Cardiff

Whilst the Family and Empty Nester sub-groups were also positive about the existence of a regulator they were at times concerned by the voluntary nature of charity involvement and the funding arrangements. For some, this called into question how independent the regulator actually was if it was funded by charities themselves and some labelled it 'self regulation' which came with negative undertones. Others objected to what they perceived as even more of their donation not reaching their preferred charity as part of it would be used to contribute to the charity's payment to the regulator. Statutory status and government funding would be preferable for some of the Family and Empty Nester sub-groups in the sample as they felt this would verify the independence of the Fundraising Regulator. Although only a short amount of time was available to discuss the enforcement of the Code of Fundraising Practice there were some in the workshops who expected a programme of mystery shopping to be undertaken by the Fundraising Regulator.

Participants across the groups also expressed their desire for the Fundraising Regulator to enjoy a higher public profile and posited that the Fundraising Regulator brand could potentially serve as a mark of approval similar to a kite mark, for all fundraisers.

"Why would you bite the hand that feeds you?" FAMILY Manchester

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4. THE FUNDRAISING ASK (SECTION B OF CONSULTATION)

In order to explore the Fundraising Ask, Light & Shade Research and the Fundraising Regulator designed an approach to expose the public to a range of fundraising interactions. This was done using five scenarios involving a fundraiser and a member of the public. These were scripted by the Fundraising Regulator and produced in audio, with visual text support, by Light & Shade Research and each scenario was played to the workshops. Participants were able to annotate worksheets relating to the scenarios to capture individual responses which were then used to inform the group discussion addressing the Fundraising Ask. The scenarios are available as a collection in Appendix B and we advise readers to refer to these during this chapter.

WHAT CONSTITUTES UNDUE PRESSURE AND HOW DOES THE NUMBER OF 'ASKS' CONTRIBUTE TO THIS?

It is notable that the public experienced some difficulty in agreeing a clear definition of what undue pressure constituted and they empathized with the task of the Fundraising Regulator in defining this concept.

Following discussions around the various scenarios it became clear that there were a number of potential signifiers of pressure, and these often operated within a range of degrees that may indicate *undue* pressure. There was a high degree of consistency of opinion across the sample that undue pressure could not simply be defined by the number of 'asks' that were experienced and the public felt that the content, tone and style of the 'asks' were at least, if not more, important than an upper limit of 'asks'.

Scenarios 1 and 2 demonstrated between them the range of signifiers (and to a sufficient degree) that constituted undue pressure:

- **Opening the conversation with a suggested donation (£12 per month perceived to be a major commitment by most) and only marginally reducing the amount during subsequent asks**
  - The public resented the suggestion of an amount when it was clear the fundraiser would not understand how much the member of the public could actually afford or desire to donate
  - Embarking on a series of subsequent bartering asks was felt to demean the interaction
    - It gave the impression that all the fundraiser was interested in was the monetary donation rather than the charitable cause
    - Only very moderately reducing the suggested amount (scenario 1) was not acceptable and was strongly indicative of the fundraiser not listening to the responses from the member of the public
  - Several participants suggested that this alone would result in outright rejection of the fundraiser's ask

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"Why not ask how much I can afford?...I don't think an amount of money should be mentioned." PRE / YOUNG FAMILY Cardiff

"He's trying to close the deal without listening... I don't think you should be told how much to give." FAMILY Watford

"Not taking member of public's financial situation into account." FAMILY Manchester

- **Referring to one's personal lifestyle or behavior**
    - o The public unanimously rejected any attempt by the fundraiser to induce feelings of guilt by contextualizing a monetary donation with reference to their private lives, for example insisting that a donation would only mean buying one less take away or suggesting that if the member of the public could afford to buy a coffee they could afford to make a donation to charity
    - o This was regarded as an excellent example of intrusion into their private lives
    - o Scenario 5 in particular was rejected due not only to the content of this exchange but the tone of voice used by the fundraiser which was described as aggressive and accusatory
    - o It indicated an overt sense of pressure by making the member of the public feel guilty about their own personal choices
    - o Almost all participants claimed that an approach like this would immediately result in outright rejection with some claiming that they would be sufficiently moved to make a complaint about the approach

"That annoys me, the assumption, it's patronising – we work hard for our living and it's up to us what we spend our money on and I might want a take away dinner." EMPTY NESTER Manchester

"I would feel judged...from someone who's never met you before." PRE / YOUNG FAMILY Watford

- **Conveying an overt sense of urgency to set up financial gift**
    - o Scenario 1 placed a clear emphasis on setting up the direct debit before the member of the public had agreed to do so

"It's too personal...it's more like a high pressure environment to me...There's a surge of pressure towards the end." PRE / YOUNG FAMILY Cardiff

"Quite aggressive, wouldn't take no for an answer." EMPTY NESTER Cardiff

Just as scenarios 1 and 5 indicated undue pressure, scenarios 2 and 3 offered signifiers of good practice and in the case of scenario 2 a potentially acceptable level of pressure:

- **Demonstrating that the fundraiser is listening to the responses from the member of public they are trying to raise funds from**
    - o The public responded positively to the fact that the fundraiser in both cases listened to and responded accordingly to the information they heard from the member of the public

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- o In scenario 3 this involved only making two 'asks' as the fundraiser recognized the personal circumstances of the other party (recently became unemployed and stated that they could not afford the donation) and terminated the conversation – this was felt to be entirely appropriate and an example of best practice
- o In scenario 2, even though the public rejected the initial suggested donation of £12, the manner in which the fundraiser substantially reduced the suggested donation by the third 'ask' exemplified the fact that they were actually listening to the other party's responses

"He took into consideration their situation…He understands the situation… probably left the guy with a good impression of fundraising." PRE / YOUNG FAMILY Watford

"If I was head of the charity, I'd be happy with this approach…It would make me want to donate more." FAMILY Manchester

"There's still pressure but he shows a bit more understanding there." PRE / YOUNG FAMILY Manchester

- **Displaying empathy**
  - o By using empathetic language and responding sensitively to the other parties, the fundraisers in scenarios 2 and 3 demonstrated that they were interested in the engagement beyond simply achieving a target or donation
    - ▪ This helped participants to feel more at ease with the three 'asks' in scenario 2

"You'd be more inclined to donate purely on the fact that he's shown some kind of empathy." PRE / YOUNG FAMILY Cardiff

- **Linking a suggested amount to the benefit to the charity and their end users**
  - o The public indicated that they would be much more likely to donate a specified amount if it was explicitly linked to work that the charity conducts
  - o In scenario 2 the fundraiser reduces the suggested amount and informs the other party of what could be achieved with that level of donation

"I like the fact that he mentions £3 and how useful that still is." PRE / YOUNG FAMILY Watford

- **Offering alternative methods of donating to or engaging with the charity**
  - o Participants regularly stated that they often prefer to make a financial decision in their own time and after a period of reflection
    - ▪ Older participants in particular were anxious about discussing bank details in public
  - o Scenario 3 offered the opportunity to engage with the charity's website and potentially donate at a later date
  - o Scenario 2 offered a significantly reduced suggested amount and stated that the member of the public could choose to increase this in their own time at a later date if they so wished

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     o   Participants frequently suggested that, where possible, fundraisers should offer literature containing details of the charity, how to donate and a way of identifying the individual fundraiser in case there is a need for complaint

"The approach was sympathetic and approachable and he gave the option to look at the website." EMPTY NESTER Cardiff

Of the three scenarios that achieved agreement to set up a donation (scenarios 1, 2 and 5) only scenario 2 was deemed to use an acceptable degree of pressure (and it is worth noting that for a minority this was potentially on the cusp of what was or was not acceptable). All three scenarios contained three 'asks' but in scenario 2 these were deemed more acceptable due to:

- Responding to the member of the public and significantly reducing the suggested amount from £12 to £3
- Being tonally and linguistically more empathetic than the others
- Linking the donation to a specific activity of the charity
- Offering the future opportunity to review the size of the donation based on communication from the charity

Of the two scenarios that did not achieve agreement to set up a donation (scenarios 3 and 4) only scenario 3 was deemed acceptable and was considered to be a low pressure engagement. Scenario 4, whilst also low pressure was rejected unanimously by the workshops as not enough pressure. The fact that the fundraiser was so lacking in persistence lead participants to believe that they were not interested in the work of the charity. The public felt that this type of engagement would leave a negative impression of the charity in question and would not result in a donation from them. As a result, the public understood and accepted that a reasonable degree of persistence was required during a fundraising engagement.

"He just gave up…He'd be fired!" EMPTY NESTER Watford

"If he's not interested, I won't be interested." FAMILY Cardiff

IS A MAXIMUM OF THREE 'ASKS' APPROPRIATE?

The question of how many times a fundraiser could ask for a financial donation was challenging to answer for most participants. The vast majority of the sample regarded setting a limit as relatively arbitrary and most agreed that the manner in which the fundraiser asked for the donation also needed to be taken into account. Fundamental to the discussion of three 'asks' was the assurance sought by the public, in particular but not exclusively those in the Empty Nester and Family life stages, that should a member of the public reject or refuse to donate, or indicate that they would prefer not to donate, the interaction would be immediately terminated. Empty Nesters in particular were keen to articulate that due to a sense of politeness they may prefer not to directly say 'no' to a fundraiser but they expected that a well-trained fundraiser would terminate the interaction if it was clear that they did not want to proceed.

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It was therefore agreed that two or three asks, depending on the individual circumstances of each interaction, would be an acceptable number of 'asks' and that three 'asks' should be the absolute maximum permitted. However this was agreed on the condition that every interaction did not automatically involve the total of three 'asks' and that whenever a fundraiser detected after the first or second ask that the member of the public was not interested, the interaction would be terminated and no further 'asks' would be made.

The workshops suggested, across all life stages, that the onus in this respect falls unequivocally on the individual fundraisers and the organisations that they work for. Therefore the public would be reassured if fundraising organisations and charities directly employing fundraisers invested in rigorous training to enable individuals to apply the 'three asks' rule with sensitivity.

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5. VULNERABILITY (SECTION E OF CONSULTATION)

In order to explore this section of The Code the Fundraising Regulator constructed pen portraits of a range of *potentially* vulnerable persons (e.g. eg. Alzheimer's patient; older active member of community; recently bereaved woman) as a means of introducing vulnerability to the workshop participants. The pen portraits are available as a collection in Appendix B and we advise readers to refer to these during this chapter.

The issue of vulnerability in the fundraising context was recognized as pertinent and requiring attention within all of the workshops. Whilst there was very limited recall of the issues that surrounded the death of Olive Cooke there was a desire, particularly (but not only) within the Empty Nester cohort, that fundraisers should not prey on vulnerable persons.

However, when attempting to decide how the Code of Fundraising Regulation could address this issue, across the whole sample, members of the public had great difficulty in coming to firm conclusions that could easily be translated into regulations.

The key challenges during discussions centred on whether or not a fundraiser could reasonably be expected to recognize all forms of potential vulnerability and how their approach should be modified if, or when, they did recognize this.

For most of the pen portraits it was agreed that it would be very difficult for a fundraiser to be aware of any vulnerability.

"How are they going to know whether someone is vulnerable or not?" PRE / YOUNG FAMILY Cardiff

There was also a degree of reluctance to pre-judge a member of the public as vulnerable based on their outward appearance. In the pen portrait that described an 80 year old man it was felt that there was no immediate reason to treat him differently to any other member of the public. However if, during the discussion, he displayed any indicators of vulnerability the interaction should be brought to a close without seeking a donation. Similarly, for several other pen portraits (for example dealing with unemployment and debt, bereavement, and having a seriously ill relative) it was conclusively decided that the fundraiser could not reasonably be expected to know the background of individuals until a conversation was underway and the same action should be taken by fundraisers. Finally when assessing the potential vulnerability of an Alzheimer's patient, groups decided that this may be an easier vulnerability to identify but again, only once the fundraising interaction had commenced and as with the cases above, the fundraiser should sensitively close the conversation.

"That happened to me one time. I was in between jobs. A fundraiser knocked on my door and asked me and I said sorry I can't do it I'm unemployed and he went and never said anymore – that's the way it should be." EMPTY NESTER Cardiff

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"It's up to the person who is 80 or 30 or 40 – everyone should be treated the same…You can't judge a book by its cover." EMPTY NESTER Watford

"You're not going to know that until someone volunteers it." EMPTY NESTER Watford

As the treatment of potentially vulnerable persons appeared to be such a subjective matter, the public suggested that, as part of the rigorous training referred to in Chapter 4 above, fundraisers should be trained to recognize signs of vulnerability and there should be rules regarding halting interactions without arranging a donation if any such signs are identified during the course of the interaction.

"I would expect this to be in the training." PRE / YOUNG FAMILY Cardiff

"You've just got to use your initiative when talking to people in the older age bracket." EMPTY NESTER Cardiff

"It's all about training the people doing the fundraising." EMPTY NESTER Watford

"As soon as you notice that things aren't quite right…[you should stop]…I don't think it's in the fundraiser's control…You have to give appropriate training to fundraisers…trained to pick it up." PRE / YOUNG FAMILY Manchester

It was also suggested that if a vulnerable person had donated and they or a representative raised a concern at a later date there should be a 'no questions asked' policy of returning the donation(s). In order to help fundraisers on the telephone some participants also suggested that they would like to see the establishment of a system of opting out of charity fundraising calls that an individual or their representative could sign up to.

"If there was a problem, the money should be refunded." PRE / YOUNG FAMILY Cardiff

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6. Informed Consent and Disclosure (section C of consultation)

In order to explore the matter of informed consent and disclosure Light & Shade Research and the Fundraising Regulator designed an approach to expose the public to a range of fundraising interactions involving the solicitation statement. This was done using three scenarios involving a fundraiser and a member of the public. These were scripted by the Fundraising Regulator and presented by Light & Shade Research moderators with visual text support. Each workshop was also presented with the proposed change to The Code. The scenarios and proposed change to the code are available as a collection in Appendix B and we advise readers to refer to these during this chapter.

When the concept of disclosure was introduced to the workshops and spontaneous responses were gathered the vast majority of the sample welcomed the requirement for a disclosure statement to be part of the fundraising process.

Before being presented with any options for the timing of the disclosure there was a degree of disagreement when the statement should be read out. The disagreement was most evident within the Empty nester sub-groups who suggested a range of timings from early in the fundraising conversation to only being disclosed if the member of the public requests the information. Family and Pre-Family life stage sub-groups more commonly suggested that the statement should be disclosed early in the interaction and although suggestions were varied there was agreement that this should happen prior to committing to a donation or handing over money and at any time the member of the public requests such information.

However, it should also be noted that all life stages expressed a degree of concern about disclosing too early in the conversation as they felt this could detrimentally affect the ability for charities to successfully raise funds. This identified an interesting conflict between a clear desire from the majority to have greater transparency in the relationship between charities and third parties versus the potential damage this could do to fundraising.

"I'd like to know – it would give me a little bit more trust…It might put me off but it's still really important." PRE / YOUNG FAMILY Manchester

The workshops were presented with the three potential scenarios with the statement either:

1. Up front at the beginning of the interaction
2. At the very end of the transaction, after the member of the public has completed the financial details
3. After agreement to donate but before any financial commitment

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The scenarios enabled a greater consensus to be reached across the sample and with minimal exceptions it was agreed that the third option above would provide the best balance between transparency and ability for the fundraiser to gain agreement from the member of the public.

There were a number of benefits identified for this disclosure:

- Greater overall transparency regarding the relationship between third parties and charities
- A more informed public who understands the fundraising arrangements more clearly
- Allows the fundraiser to build rapport with the public before informing them of the relationship
- Easily allows the member of the public to change their mind or back out of the agreement before any financial details have been exchanged
- Generates greater trust between both parties

Several participants likened this timing of the disclosure statement to making an online purchase or applying for a financial product insofar as they were well versed in reading terms and conditions prior to making the final purchase or commitment.

"It allows the person some time to back off from it…That's the best way of doing it."
EMPTY NESTER Watford

"You've got all the information you need." EMPTY NESTER Manchester

"Before you actually commit…before you sign up…Straight away might be too much of a put off." PRE / YOUNG FAMILY Manchester

Once the workshops were presented with the proposed rule change from the consultation there was broad agreement that this would be acceptable.

"It's like when you sign up for a credit card, you sign to say you've read the Ts & Cs…That's a great rule…Before you sign your life away." PRE / YOUNG FAMILY Manchester

Some debate was offered regarding the content and format of the statement, in particular relating to how to express the payment fundraisers would receive. It was recognized that this is an important element of the disclosure statement as it provides greater transparency and allows potential donors to gauge how much of their donation may be taken. However, participants were often confused by the representation of figures in absolute terms - "We hope to raise £52,000 and will be paid £4,000" and a broad consensus was reached that it may be preferable to express this as either a percentage amount or framed in terms of pence per pound donated that would be paid to the fundraiser.

"I'd be satisfied with 'one pound of my donation is going on costs'." FAMILY Cardiff

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CONCLUSIONS
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This report has successfully answered the four key objectives of the consultation

1) Discover public perceptions of:
   a) Fundraising & Fundraising Regulation
   b) Fundraising Regulator
      i) Learn what impacts public views

Fundraising suffers from a relatively negative public perception and this is driven principally by the public's direct experiences and observations, as well as some anecdotal evidence. The public objected most strongly to on-street fundraising which was regarded as intrusive, annoying and ubiquitous. Fundraisers were also accused of being pushy and adopting a sales approach. The public generally felt uncomfortable being made to feel guilty by fundraising campaigns of any kind.

Most of the criticism of fundraising was levelled at larger, visible and 'corporate' charities. Many members of the public consulted were participating in local charity events and activities as well as donating time, goods and money to these causes.

The usage of third party fundraisers was negative for a minority of the public and broad consensus was reached that this may have a detrimental reputational impact on charities and risk reducing their ability to raise funds. The principal cause of negativity was the concern that paying for fundraising services would account for a large proportion of the donation received from a member of the public. This echoed concerns about charity running costs and salaries for charity staff.

There was widespread welcoming of the existence of the Fundraising Regulator, although there was no prior awareness of the organisation among any of the workshops. The presence of a Regulator would help to alleviate some concerns about trustworthiness of fundraising campaigns and may increase public confidence in the sector. The public expressed a clear desire for the Fundraising Regulator to enjoy a higher public profile and act as a stamp of approval for registered fundraisers. The only criticism of the regulatory landscape was that charities funded the Regulator.

2) How does the public gauge whether undue pressure has been applied during a fundraising interaction?
   a) What is good / bad practice during the fundraising interaction?

Gauging undue pressure was regarded as a significant challenge for the public and for the Regulator. The public interpreted undue pressure as a combination of the content, tone and style of the fundraising asks and these elements were as important as the number of asks.

Undue pressure was deemed to have been applied when the fundraiser sought to: prompt the potential donor with a high suggested donation and not appropriately

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adjust the amount during the conversation; referenced the potential donor's personal life in order to provoke feelings of guilt; refuse to actively listen to and observe the information provided by the potential donor during the exchange; induce a sense of overt urgency in the interaction; and adopt an aggressive or overly sales-led style.

Members of the public preferred a fundraising approach that was rooted in active listening, understanding the potential donor and establishing an empathetic connection between fundraiser and donor.

An absolute maximum of three asks would be tolerable, although older participants tended to prefer two, only if it was also made clear that if, at any time in the interaction the fundraiser detected that the member of the public was not willing to continue, the interaction should close.

The responsibility for ensuring that fundraisers adopted positive behaviours was placed upon the fundraising organisations themselves.

3) What does the public expect from fundraisers with respect to vulnerable persons?

Identifying potentially vulnerable persons was described as highly challenging. There was a reluctance for fundraisers to be obligated to pre-judge members of the public based on appearances or other outward demeanours. However, if any indicators of vulnerability were detected during the interaction the public expected fundraisers to sensitively terminate the discussion.

Training fundraisers to recognise indicators of vulnerability was regarded as vital and would be seen as the responsibility of the fundraising organisation.

There should also be a 'right to reply' for anyone, or their representative, to claim a refund if they donated via a fundraiser whilst they were vulnerable.

4) How does the public regard the disclosure statement from third parties and at what point in the fundraising interaction should this statement be made?

There was majority support for the usage of a disclosure statement by third party fundraisers. This would help to provide greater transparency regarding the fundraiser relationship with the charity. However, a minority in the workshops believed that this may present the risk of reducing donations.

A broad consensus was reached that the disclosure should occur prior to financial commitment and the workshops agreed with the proposed change to The Code.

The content of the statement should include an easy to understand explanation of how much of the donation would be paid to the fundraising organisation and there appeared to be a preference for a percentage or proportional figure rather than an absolute amount.

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APPENDIX A – DISCUSSION GUIDE

J1220 Fundraising Regulator – Code of Fundraising Practice
Consumer Insight Workshops
Workshop Guide v4 18/04/17

Notes on the guide
During these public dialogues, participants have been brought together to discuss a range of topics in an iterative manner. The conversation is semi-structured and will be iterative and flexible - new routes of conversation may appear and will be followed up on as appropriate. The moderator will listen to participants' views, and will ask questions as and where needed. When asking questions the moderator will do so openly (unlike a survey) and if needed, probe on responses to facilitate discussions around the core areas.

Timings and format	Content	Materials
1200-1230	• Registration of participants – assign to individual tables • Lunch • Briefing for FR attendees	**NAME BADGES**
1230-1240	**1. Introduction to the day**	
PLENARY	• Thank and welcome participants • Introduce Light & Shade Research • Explain the purpose of the sessions and the project (to include what we are as well as what we are not setting out to do) • A dialogue with members of the public to understand their opinions on some specific elements of charity fundraising. • No prior knowledge expected, no right or wrong answers, important to hear from everyone, one conversation at a time, reminder to share and respect different views • Confidentiality – their views will be used, but not identifiable, MRS guidelines • Explain context of wider FR consultation. • Introduction from FR: • FR representative to introduce FR and attendees and what FR hopes to achieve through the workshops • Format: • Sub-groups and whole room feedback. • Chance to ask questions of the various FR representatives during the day. • Materials to consider and respond to and the intention is that we can build up a more informed understanding of the key issues as the session progresses. • Scheduled break at [TBC]pm and finished at 3.30pm • Any other housekeeping (fire exits, loos, etc.)	
1240-1255	**2. Initial exploration of perceptions, understanding and awareness of charities, fundraising and regulation**	
SUB-GROUPS	• This section will provide the baseline of opinion regarding the broad area of charities, fundraising and regulation and we will return to this	**FLIPCHART**

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& PLENARY	section at the end of the day to gauge whether and how opinions have moved
	Group introductions and icebreaker
	• Moderator welcome, reminder of:
	o Confidentiality – their views will be used, but not identifiable
5 MINS	o MRS guidelines, Recording
	• Ground rules: no prior knowledge expected, no right or wrong answers, important to hear from everyone, one conversation at a time, reminder to share and respect different views
	• Moderator to introduce questions flipchart – explain that we'll capture their questions throughout on this; reminder of burning issues board
	• Warm up: quick reintroduction of each member of the group name; who they live with, if they work what they do
	FLIPCHART
	• Explore top of mind associations with:
	o Charitable giving
10 MINS	o Charity Fundraising
	• What **words**, **associations, images**, and **feelings** first come to mind when they think of fundraising?
	o Viewing full list – how would they summarise their overall attitude to Charitable giving and charity fundraising, as a group – *moderator to ask for a volunteer to feed these back to the wider group later*
	o Any surprises?
	• Where these associations, images, feelings **come from -**
	o Where do they hear about these issues / from whom / media?
	o Whether anyone has experience of charity fundraising
	[Moderator to listen out for perceived benefits and concerns and where raised, explore where these come from and how strongly these are felt]

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1255-1320	3. Providing information about the fundraising landscape and regulation. Identifying areas of challenge for fundraising & regulation.	
PLENARY & SUB-GROUPS **15 MINS**	PLENARY – LEAD MODERATOR PRESENTS "HOW FUNDRAISING WORKS & WHY CHARITIES USE 3RD PARTIES – PRESENTATION". Participants to have post it notes to note any questions arising as they watch. EXPLANATIONS OF: • How charities fundraise – methods (street, door, phone etc) • The role of professional fundraisers / 3rd parties • Why charities employ 3rd parties DISCUSSION AT EACH SUB-GROUP TABLE EXPLAIN THAT KEY POINTS ARE SUMMARISED ON HANDOUTS AT EACH TABLE TO ASSIST DISCUSSION • DISCUSSION OF PRESENTATION • Initial reactions • Anything surprising / new? • How do they feel about these relationships? • How clear is it why these relationships exist / function? • What are the potential benefits / risks in these relationships?	**HOW FUNDRAISING WORKS & WHY CHARITIES USE 3RD PARTIES – PRESENTATION** **SUMMARY OF KEY POINTS HAND OUT** **FLIPCHART**
5 MINS **5 MINS**	LEAD MODERATOR PRESENTS "REGULATION OF FUNDRAISING SLIDES [2 SLIDES]" BRIEF EXPLANATION OF: • FR and Charity Commission • Introduce the principles of the Code and Handbooks • And the consultation on changing / adding to the code **BRIEF DISCUSSION** AT EACH SUB-GROUP TABLE EXPLAIN THAT KEY POINTS ARE SUMMARISED ON HANDOUTS AT EACH TABLE TO ASSIST DISCUSSION • DISCUSSION OF PRESENTATION • Initial reactions • Anything surprising / new? • How do they feel about regulatory landscape? • Who is the Fundraising Code for? EXPLORE RESPONSES: o Public / Fundraisers / others? • What are the potential benefits / risks of regulation? **PLENARY Q&A SESSION WITH FR, MODERATED BY LEAD MODERATOR**	**WHO IS INVOLVED IN REGULATION PRESENTATION** **SUMMARY OF KEY POINTS HAND OUT** **FLIPCHART**
1320-1415	**4. UNDUE PRESSURE, THE FUNDRAISING ASK AND VULNERABLE PERSONS [PART B OF CONSULTATION]**	
55 MINS TOTAL PLENARY 10 MINS	LEAD MODERATOR REITERATE1.2f) FROM CODE EXPLAIN THAT WE WILL PLAY 4 OR 5 SHORT SCENARIOS OF FUNDRAISING ENGAGEMENTS BETWEEN A FUNDRAISER AND POTENTIAL DONOR	**4 (5 IF TIME) SCENARIOS OF A RANGE OF**

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	ASK PARTICIPANTS TO TAKE NOTES [WE WILL PROVIDE A PRO FORMA] FOR DISCUSSION AT THEIR TABLES • EXPLAIN THAT FOR EACH WE WANT THEM TO ASSESS HOW REASONABLE THE FUNDRAISING ASK WAS AND WHETHER THERE WERE ANY CONCERNS ABOUT UNDUE PRESSURE OR PERSISTENCE	**FUNDRAISING 'ASKS'**
SUB-GROUPS 35 MINS	ONCE ALL SCENARIOS PLAYED, SUB-GROUP MODERATORS LEAD THE DISCUSSIONS AT EACH INDIVIDUAL TABLE USING INDIVUDALS' RESPONSES NOTED ON WORKSHEETS • Which scenarios stood out? Why? • Did any scenarios feel pressurised / overly persistent? Why? • What were the indicators of this? • At what point in the engagement did they begin to question whether there was undue pressure / unreasonable persistence? • How do they feel about **three asks** being the upper limit? • Is '**three asks'** always appropriate? When is / isn't it? Why? • How can charities balance the requirement to ask for donations from the public without applying undue pressure? Refer to Scenario 4 where the fundraiser 'gives up' early in the engagement. INTRODUCE VULNERABLE PERSON PEN PORTRAITS Table 1 – portraits 1 & 4 Table 2 – portraits 2 & 5 Table 3 – portraits 3 & 6 • Should the fundraiser do anything differently when engaging with these individuals? Why? • How should a fundraiser assess whether a potential donor is vulnerable? • What are the challenges? How can these be managed? • How can the regulator ensure that this is done?	**VULNERABLE PERSON PEN PORTRAITS**
PLENARY 10 MINS	PLENARY – LEAD MODERATOR COLLATE FEEDBACK FROM EACH TABLE ON THEIR CONCLUSIONS. DISCUSS COMMONALITIES / DIFFERENCES	
1415-1430	**BREAK**	

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1430-1515	5. INFORMED CONSENT [PART C OF CONSULTATION]	
	LEAD MODERATOR INTRODUCE MATERIAL TO EXPLAIN REQUIREMENT FOR DISCLOSURE STATEMENT [STREET, DOOR AND TELEPHONE] EXPLAIN THAT WE WISH EVERYONE TO VIEW THE SCENARIOS FROM CONTRASTING PERSPECTIVES 1 – POTENTIAL DONOR 2 – THE FUNDRAISER 3 – CHARITY THAT HAS ENGAGED 3RD PARTY 4 – THE REGULATOR	
25 MINS AT TABLES	**AT TABLES** • DISCUSSION OF THE REQUIREMENT FOR DISCLOSURE STATEMENT • How important is it to have a disclosure statement? Why? • When is the right time to introduce the statement? • FOR EACH STATION / SCENARIO: • From the perspective of public / fundraiser / charity / regulator… • How do they feel about the point at which the disclosure statement was introduced? • Did this feel right / wrong? • What would be the implications of introducing the statement at this point? • Would there be specific benefits / risks? For which parties?	RANGE OF FUNDRAISING SCENARIOS TO ILLUSTRATE DIFFERENT POTENTIAL POINTS OF INFORMED CONSENT .
10 MINS	INTRODUCE PROPOSED ADDITION TO CODE – FLIPCHART • Which of the scenarios would be compliant with this? • How do they feel about consent being linked to giving money / financial commitment? • What could be potential benefits / risks with this approach? • How would this addition to the code affect public / charity / regulator (as appropriate)? Positive / negative impact? Why?	BOARD WITH PROPOSED ADDITION TO CODE
PLENARY 10 MINS	BRIEFLY PRESENT OUTCOMES OF EACH SUB-GROUP / PERSPECTIVE TO THE ROOM AND DISCUSS	
1515-1530	7. SUMMARY, FINAL FEEDBACK AND WRAP UP	
PLENARY	LEAD MODERATOR RETURN TO FLIPCHARTS FROM END OF SECTION 2 ASK EACH TABLE TO FEEDBACK TO WHOLE ROOM WHETHER AND HOW THEIR VIEWS OF FUNDRAISING HAVE CHANGED AND WHAT HAS CONTRIBUTED TO THAT. CLOSING WORDS AND THANKS FROM FR. CLOSING WORDS AND THANKS FROM LEAD MODERATOR. ADMINISTER INCENTIVE	

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APPENDIX B – STIMULUS MATERIALS

INTRODUCTION TO FUNDRAISING AND FUNDRAISING REGULATION

An introduction to charity fundraising

- Charities cannot operate without funding

- Charities can get funding from a range of different sources

- The public is one of those source and the UK public is a large contributor of money to charities and charitable causes

(FR) FUNDRAISING REGULATOR

An introduction to charity fundraising

- We can all donate money to a charity at any time we wish to

- We don't always have to be asked to do so, but it is common for charities to ask the public for a donation

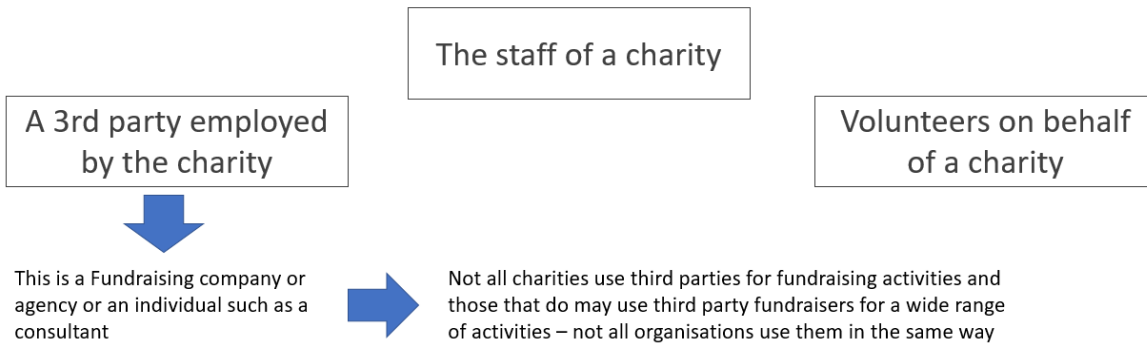- This is what we mean today when we talk about 'Fundraising'

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An introduction to charity fundraising

- The term 'Fundraising' refers to:

- **"Any activity that is done to raise money from the public for a charitable purpose or organisation"**

- Donations can be money or good with a monetary value (eg. Clothes donated to a charity shop)

FR FUNDRAISING REGULATOR

Who carries out charity fundraising?

Fundraising can be carried out by:

The staff of a charity

A 3rd party employed by the charity

Volunteers on behalf of a charity

This is a Fundraising company or agency or an individual such as a consultant

Not all charities use third parties for fundraising activities and those that do may use third party fundraisers for a wide range of activities – not all organisations use them in the same way

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Fundraising and 3rd parties

- Charities typically use third party fundraising companies to carry out large scale fundraising activities

- Most commonly, a third party fundraiser will ask a member of the public for a donation in person:
    - In public (eg on a high street) or a private site (eg in a shopping centre)
    - By going from "door to door" in a neighbourhood
    - Over the telephone

- A third party fundraiser working on behalf of a charity, is legally obliged to inform any member of public that they approach for a donation that this is the case

FR FUNDRAISING REGULATOR

Why do some charities use 3rd parties

- **Capacity and Cost**: It requires a large amount of resources to recruit, train, and monitor the staff needed, whilst also getting the right permits/ licenses. A third party usually offers these services at a price that is cost effective for the charity
- **Efficiency and Expertise**: Third parties offer logistic and sector expertise to tailor the fundraising approach to the charity's specification and prevent common mistakes that can damage the success of the fundraising or the reputation of the charity.
- **Monitoring**: The most effective third parties closely monitor their fundraising staff and can easily notice irregularities or questionable behaviour. Charities are responsible for oversight of the activity, but may not have the experience needed to spot and deal with issues that arise.
- **Flexibility**: The contracts between the charity and third party give the charity the flexibility needed to be able to end or change the fundraising activities.

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History of Fundraising Regulation:

- Prior to the establishment of the Fundraising Regulator, there were three organisations involved in the regulation of charitable fundraising
    - The Institute of Fundraising, a sector trade organisation, held the Code of Fundraising Practice (the standards for fundraising to follow)
    - The Fundraising Standards Board (FRSB) was a membership organisation responsible for handling complaints from the public about charitable fundraising practices – issuing reports and making recommendations
    - The Public Fundraising Association (PFRA) held the rulebooks for Street and Doorstep Fundraising, and handled compliance for these

- In 2015 high profile media stories about poor fundraising practice led to a government review of charity fundraising which found the system to be inadequate, recommending that a single voluntary independent regulator be set up to centralise all responsibilities mentioned above

(FR) FUNDRAISING REGULATOR

Regulation of fundraising

(FR) FUNDRAISING REGULATOR

- The Fundraising Regulator was established in January 2016, following widespread public and media concern about how charities contact potential donors.
- The new regulator is independent of government and operates on voluntary funding from the charity sector.

(FR) FUNDRAISING REGULATOR
Code of Fundraising Practice

(FR) FUNDRAISING REGULATOR
Rule Book
Street fundraising

(FR) FUNDRAISING REGULATOR
Rule Book
Door-to-door fundraising

(FR) FUNDRAISING REGULATOR

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Fundraising regulator and Charity Commission

CHARITY COMMISSION
FOR ENGLAND AND WALES

- The Fundraising Regulator works closely with the Charity Commission, the statutory charity regulator in England and Wales.
- The Commission is responsible for regulating all other aspects **apart from fundraising**, including governance, finance and the establishment of new charities.

(FR) FUNDRAISING REGULATOR

FUNDRAISING SCENARIOS - THE FUNDRAISING ASK

Introduction

We are about to listen to a few situations where a fundraiser is asking a member of the public to donate to the "Save the Dodos" charity.

We join the fundraiser and member of the Public after their initial conversation about the charity and the fundraiser has already made a case for supporting "Save the Dodos".

(FR) FUNDRAISING REGULATOR

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Scenario 1

Fundraiser: What we are really looking for is for people to make a commitment of ongoing support. It really is the most valuable way of helping. A gift of £12 per month would pay to feed a Dodo family everyday. Could you help us with that by signing up to a direct debit today?

Member of the Public: Well I'm not really sure. I would normally think about this sort of thing. £12 is quite a lot of money to me I wouldn't normally give so much.

FR: I know, but we could really do with your support it is not a lot when you think about it really, one less takeaway dinner. I can see you really want to help. If you couldn't do £12 how about a bit less say £10 the hungry Dodo's really do need your help today.

MOP: I'm really not sure about this...I don't think I can afford that...

FR: The Dodo's really need your help right now. The most important thing for us is that I take your details and we can get that gift going as soon as possible. I tell you what....let's set up a gift today and you can always think about it down the line and if you can't afford it you can always cancel it. What is your name and address?....

MOP: Err...I suppose.

FR) FUNDRAISING REGULATOR

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Scenario 2

FR: What we are really looking for is for people to make a commitment of ongoing support. It really is the most valuable way of helping. A gift of £12 per month would pay to feed a Dodo family everyday. Could you help us with that by signing up to a direct debit today?

MOP: Well I'm not really sure. I would normally think about this sort of thing. £12 is quite a lot of money to me I wouldn't normally give so much.

FR: I understand that not everybody can afford to give the same amount. If you are still interested in supporting the Dodo's could you afford to give a smaller gift. How would something like £8 sound instead? With that we can train a dodo chick to fly

MOP: That might be more possible, but I still prefer to think about these things in my own time. It's still quite a commitment.

FR: I appreciate what you are saying and of course you could sign up to support via our website in your own time. If possible I would like to confirm your support for us today, how would you feel about signing up to a small donation of say £3 per month. If you like what you see from our charity you can always look at increasing the donation down the line.....

MOP: Well that sounds OK, yes I could do that...

FR) FUNDRAISING REGULATOR

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Scenario 3

FR: What we are really looking for is for people to make a commitment of ongoing support. It really is the most valuable way of helping. A gift of £12 per month would pay to feed a Dodo family everyday. Could you help us with that by signing up to a direct debit today?

MOP: Well I'm not really sure. I would normally think about this sort of thing. £12 is quite a lot of money to me I wouldn't normally give so much.

FR: I understand that not everybody can afford to give the same amount. If you are still interested in supporting the Dodo's could you afford to give a smaller gift. How would something like £8 sound instead? With that we can train a dodo chick to fly

MOP: I was only recently laid off so I haven't got a lot to spare....

FR: I understand and can see that you might need to think about it. Please check out our website you can always sign up there and thanks for stopping to talk to me

FR FUNDRAISING REGULATOR

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Scenario 4

FR: What we are really looking for is for people to make a commitment of ongoing support. It really is the most valuable way of helping. A gift of £12 per month would pay to feed a Dodo family everyday. Could you help us with that by signing up to a direct debit today?

MOP: Well I'm not really sure. I would normally think about this sort of thing.

FR: Ok well thanks for your time

FR FUNDRAISING REGULATOR

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Scenario 5

FR: What we are really looking for is for people to make a commitment of ongoing support. It really is the most valuable way of helping. A gift of £12 per month would pay to feed a Dodo family everyday. Could you help us with that by signing up to a direct debit today?

MOP: Well I'm not really sure. I would normally think about this sort of thing.

FR: Well we have talked about why the Dodo's need your help, as we speak thousands are dead already. If you don't help us today it's not going to get any better. If you really do care about the situation then you'll help us now by setting up a donation.

MOP: I'm sorry I just don't think I can afford it right now

FR: I can see you just walked out of that coffee shop, how much did that coffee cost you? Are you sure that you can't help at all even with a few pounds a month?

MOP: You're probably right

FR FUNDRAISING REGULATOR

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POTENTIALLY VULNERABLE PERSONS - PEN PORTRAITS

Examples of members of the public   1

Since being diagnosed with Alzheimer's Disease a year ago, Terry has difficulty focusing on conversations for long periods.

His short term memory is poor and he forgets things that his wife said a minute ago.

(FR) FUNDRAISING REGULATOR

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Examples of members of the public   2

John is 80 year old.

He is an active member of his community and considers himself to be in good health for his age.

(FR) FUNDRAISING REGULATOR

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Examples of members of the public   3

Sandra is 45 years old. Her husband died yesterday and she is feeling upset and vulnerable.

(FR) FUNDRAISING REGULATOR

3

Examples of members of the public   4

June is 45 years old.

Her mother is currently very ill with end stage cancer.

She is thankful for the wonderful care her mum has received on the Cancer ward.

(FR) FUNDRAISING REGULATOR

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Examples of members of the public   5

Peter has been unemployed for the last 6 months.

He is in debt and having difficulty paying his mortgage.

(FR) FUNDRAISING REGULATOR

5

Examples of members of the public   6

Michael is partially sighted and a wheelchair user.

(FR) FUNDRAISING REGULATOR

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DISCLOSURE

What is 'informed consent'?

- Fundraisers must inform potential donors certain information about their role as fundraisers including the following:

- That they are a paid fundraiser working for a company that raises money on behalf of a charity

- How much the company they work for will be paid for their fundraising activity

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Scenario 1 - 'informed consent'?

Member of Public: Yes I think I can help you with a donation it sounds a worthy cause.

Fundraiser: Thank you. I just need to take a few details from you, your name, address, bank account and sort code to set up the Direct Debit. Can you fill in the form here please?

MOP: Yes of course (fills in form) here you are (hands form over)

FR: Thank you for doing that, before you go I do need to tell you that I am a paid fundraiser and I work for a company that raises money on behalf of the charity. Our company hopes to raise £52,000 for the charity from this fundraising and my company will be paid approximately £4000.

MOP: Oh I see….

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Scenario 2 - 'informed consent'?

Member of Public: Yes I think I can help you with a donation it sounds a worthy cause.

FR: Thank you for doing that. Before we set up the gift, I do need to tell you that I am a paid fundraiser and I work for a company that raises money on behalf of the charity. Our company hopes to raise £52,000 for the charity from this fundraising and my company will be paid approximately £4000. With that out of the way are you happy to fill in the form to set up the donation?

MOP: Oh I see, err yes that's OK. Thank you for letting me know

FR: I just need to take a few details from you, your name, address, bank account and sort code to set up the Direct Debit. Can you fill in the form here please?

MOP: Ok

Scenario 3 - 'informed consent'?

FR: So I'm sure you will have realised that I'm fundraising today but before I go on to tell you how you could help us out I do need to tell you that I am a paid fundraiser and I work for a company that raises money on behalf of the charity. Our company hopes to raise £52,000 for the charity from this fundraising and my company will be paid approximately £4000. I hope that you might help us to reach that target which will mean countless endangered Dodos will benefit from the charity. How would you feel about giving say £10 per month that would provide food for a family of Dodos for a year?

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There is a proposal to add to the requirements relating to 'informed consent' within the Code of Fundraising Practice

This rule proposed would read as follows:

In all cases, the disclosure (or solicitation) statement MUST be made before any commitment is made by the individual to donate.

This MUST be either before money is given by the donor or before any financial details relevant to the transaction are requested by the fundraiser (whichever is the sooner).