

OUTDOOR FUNDRAISING IN THE UK

- 1.0 Introduction
- 2.0 Preparation and Procedure
- 3.0 Key Legal Points
- 4.0 Code of Fundraising Practice for The Three Peaks Challenge
- 5.0 Appendices

The Institute of Fundraising's Codes of Fundraising Practice

The Institute of Fundraising's Codes of Fundraising Practice are structured in order to highlight what is mandatory at law, what the Institute regards as a mandatory requirement for its members and what constitutes advice on best practice.

In this Code a phrase where the word '**must**' is in red indicates a requirement that is mandatory at law, '**ought**' indicates a requirement that is mandatory for members and affiliated organisations of the Institute and '**should**' indicates a course of action that is recommended as best practice.

This Code of Fundraising Practice is intended to address fundraising activity throughout the UK. Legal requirements can vary between different jurisdictions (England & Wales; Northern Ireland; Scotland). In this Code, '**must***' indicates a legal requirement within one jurisdiction but not in others. The Institute recommends that organisations adhere to the most rigorous interpretation of the law applicable to an activity.

Users should be aware that this Code addresses the law as it stood at June 2002 throughout the UK. Reviews of the law relating to fundraising and fundraising activities, governance and charitable status are ongoing in Scotland, England and Wales. This Code will be revised to take into account any developments or changes in the law that may result from these initiatives.

Downloadable Codes of Fundraising Practice can be found at www.institute-of-fundraising.org.uk. Alternatively, contact:

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1.0 Introduction

Many charities are now raising funds from events based outdoors. Individuals or teams are challenged to complete a course that is sufficiently compelling to attract sponsorship. Such events have been commonly held in areas of attractive landscape such as National Parks, especially in mountains. These areas are already under increasing visitor pressure and land managers (such as the National Trust

and National Park Authorities) are justifiably concerned at the impact of fundraising events.

Any charity undertaking an activity of this nature **must** ensure that it is consistent with the fundraising policies of the Trustees and be aware of the potential risks involved.

Please note that this revised Code incorporates the code 'UK Charity Challenge Events'.

2.0 Preparation and Procedure

2.1 Environment

- Organisers **ought** to work closely with local land managers and other interested parties to ensure that the impact of the event is minimal. In particular, the effect on footpaths and roadside kerbs of extraordinary numbers is extremely damaging.
- A high influx of people puts a heavy demand on local facilities, particularly toilets. This **ought** to be taken into consideration when assessing numbers and participants must be encouraged to make use of alternative facilities before arrival at their rendezvous. Soiling the local hedgerows and footpaths is both unhygienic and antisocial.
- In consultation with local representatives, local wildlife and other conservation issues **ought** to be considered. Check that the area proposed is not a SSSI (Site of Special Scientific Interest) or nature reserve, and that the event will not affect breeding birds or rare plants. Certain landscapes are more prone to damage and **should** be avoided.
- Local farmers can be the worst affected. Organisers **ought** to respect that this may be a working landscape where people live. In particular, be aware of activities such as lambing, sowing or harvesting, and the need to close gates properly and not climb over walls or fences.
- The Country Code **ought** to be observed by all organisers and participants and is available from libraries.
- Does the area have a heavy seasonal tourist influx? If so, it is important to understand that there will be many other users. Bank Holiday Weekends are best avoided. Avoid weekend events at busy locations, especially in summer months.
- If your event is in the summer months, you **should** be aware of the fire hazard potential and alert the Fire Service of your presence and carefully brief all participants. You may wish to introduce a no smoking rule.
- Many areas of the UK are reserved for game and, at particular times of the year, some areas **must not** be used without prior approval (e.g. grouse shooting and deer stalking).
- Establish whether there are other events planned at the same location and time. Consult with other charities that are known to have an interest in this form of fundraising. Start your planning early so that you can still change in the event of a clash of dates.

2.2 Numbers

Organisers of events who knowingly encourage excessive numbers in areas of environmental sensitivity are **irresponsible**. The impact on local residents, roads, other users, facilities, footpaths and wildlife can be so adverse as to bring their charity into disrepute, and risks the future reputation of challenge events as a form of fundraising. An organiser **ought** to aim to create the least disturbance and inconvenience to the local community and environment. Events with no more than 200 participants can be cost effective and, if properly planned, have no discernible adverse impact.

Institute of Fundraising members ought not to organise events that encourage excessive numbers in areas of environmental sensitivity.

Excessive numbers of people arriving at locations will cause severe congestion, disturb local residents and damage footpaths. This Code of Fundraising Practice is designed to address these issues. Before planning an outdoor event, charities are urged to study this carefully and to embrace the principles.

Events will have a major adverse impact if you do not consider:

- the timing of the event for the least disturbance.
In settlement areas, do not arrive or leave between the hours of midnight-5am
- the movement of participants in such a way as to avoid severe congestion of local footpaths and access points
- that the routes used do not obstruct narrow roads
- the most suitable means of transport for the area
- parking facilities – check what is available and arrange the reservation of spaces
- the provision of toilet facilities
- litter disposal sites
- water supply – you may have to provide your own
- local accommodation.

The organiser will need to find out where the following are located: sites for base camps (and get landowners' consent for use), public telephones, local accident and emergency departments.

...and remember, leave no trace of the existence or passing through of the event.

2.3 Consultations

2.3.1 Initial Consultation at the Formative Stage of the Event

Depending on the proposed venue, consultation **ought** to include some or all of the following:

- other charities known to organise similar events (see Appendix 5.1)
- local authorities at County Council, Metropolitan Borough Council or District Council level
- Rights of Way Department for footpaths, bridle ways and byways
- Countryside Department for Country Parks and other Local Authority owned or managed locations
- key landowners/managers or representative bodies over whose area the event passes. For example:
National Parks Authorities, A.O.N.B Officer, National Trail officers, English Nature (for SSSI's) and local land managing conservation groups (i.e. wildlife trusts), National Trust, Forest Enterprise and Timber Growers Association, British Waterways (towpaths) and land owning Water Companies, Local Tourist Information officer (to register date and identify potential date clashes), Parish Councils, English Heritage, Ministry of Defence, the Council for the Protection of Rural England.

If initial approval is withheld for good reason, relocate the event or revise your plans accordingly.

For further information see the 'Sporting and Challenge Events in the Countryside' details in Appendix 5.2.

2.3.2 Secondary Consultation at the Development Stage of the Event

Secondary consultation **should** include the following, where appropriate:

- regional offices of the Country Landowners Association and National Farmers Union
- individual landowners and residents in, and adjacent to, the event route/area

- YHA/campsites (for events where accommodation is needed)
- the police
- Mountain Rescue Teams. (Please note that Mountain Rescue Teams are voluntary and are not in a position to advise on event planning. They **should not** be contacted for advice or consent. Out of courtesy, however, they should be informed in writing about the proposed event with details of dates, proposed routes and number of participants.)

2.3.3 Final Confirmation

Final confirmation of consent **should** be sent as a reminder to appropriate landowners/land managers.

2.4 Risk Assessment

It is imperative before undertaking an event of any size that a full risk assessment has been done and recorded.

No organisation **ought** to take on an event unless they are confident they are able to do so safely.

The Institute of Fundraising views it as essential that organisers **must** define the risks to the safety of the participants within the boundaries of any given event. Where the statutory responsibility of safety is that of a local authority (e.g. lifebuoys by the side of a canal), organisers of an event **ought** to check themselves that these safety mechanisms are in place and that they work.

Where an event requires the use of vehicles between sites, organisers **should** plan for compulsory rest stops and planned journey timetables that recognise road safety, especially legal speed limits.

2.5 Screening

This could be done by a form/questionnaire in the information pack, which has to be returned before confirmation of a place. Areas to consider **should** include:

- age – is the participant under 18?
If so refer to Appendix 5.2 – Adventure Licensing Act
- health – is the participant on medication? Does the participant have any current health problems?
- experience – organisers must ensure that each group/team has members with the relevant skills
- fitness – ensure that advice has been given on fitness levels and training required for the event
- a disclaimer – a disclaimer should be signed by all participants before the event.

2.6 Competent Marshals

- Marshals have a critical role. There **ought** to be sufficient marshals and these should not only be placed at major junctions but also to protect sensitive areas on the route. In mountainous areas local knowledge is important and organisers **should** seek sufficient expert support. Marshals **should not** be considered as an alternative to the emergency services, but can give valuable advice to the organisers in the event of an incident. It could prevent a call to the already stretched emergency services and Mountain Rescue teams.
- Marshals **ought** to be in communication with the organisers and be fully briefed on the event, and the incident procedures. Participants should be briefed to respect and act on the advice and instructions given to them by marshals.
- All marshals **should** be recruited in good time (at least three months before the event), and receive clear written instructions well in advance of the event. The organisers **ought** to meet the marshals immediately prior to the event for a final verbal briefing.

2.7 Briefings

Written and verbal briefings, to the participants and marshals involved, are crucial and **should** be sent well in advance of the event. These **ought** to cover event procedures, environmental impact, amenities, safety, equipment, training, vehicles and road safety. Explain from the outset what will be expected in terms of levels of physical ability, equipment and the nature of the environment.

- The types of briefings, which need to be considered for an event, fall broadly into four main categories. These are:
 - briefing for participants prior to the event – written and verbal
 - briefing for staff prior to the event – written and verbal
 - briefing for participants at the outset and during the event – verbal
 - debriefing for staff after the event – verbal.
- The amount of information, the type of briefings and their timing and frequency will depend entirely on the size and complexity of the event itself. The following list may act as a guideline:
 - *environmental impact*: Impact of the event on the local environment and the need to respect the code of practice. All participants **must** use agreed footpaths and be briefed on the damaging impact of short cuts or crowding. Other issues **should** include: litter, local residents, unsociable hours, wildlife, etc.
 - *amenities*: Full information on where all local amenities are, plus suggested places to stop en route: food, water, toilets, showers, sleeping arrangements, parking, telephones, etc.
 - *event information*: All logistical information on the management of the event and how the event will actually run including routes, timings, alternative plans and any potential hazards
 - *training*: Guidelines on the levels of fitness needed for the event and suggestions for ways in which to train; hints on wearing in boots and dietary requirements etc. Organisers **should** seek professional advice on training
 - *equipment*: A full kit list for each person/team for the event plus information on any kit that they will be provided with (such as survival bags). This should be given far enough in advance for them to purchase/borrow the items they will need. Participants will be responsible for their own kit and will require guidelines on the conditions they are likely to

experience and the equipment they are likely to need. All participants should be subject to equipment checks before and during the event and should not be allowed to proceed if the equipment is not adequate

- *vehicles and road safety*: Information on hiring vehicles, insurance, petrol costs, vehicle checks, breakdown cover. Also guidelines regarding the number of designated drivers, rest periods and road safety including speeding. Clear guidelines should be given for how many drivers will be needed who will not be taking part in the event and the resting times to be taken. Advice should be given on routes between the mountains and approximate timings with emphasis on not speeding to make up time. Normal Road Safety laws apply. Advice can be given on what type of vehicles would be most suitable for the event, and the insurance cover needed. Advice should be given on contingency for breakdown, tyres, windscreens etc.

2.8 Insurance

Full information on insurance that already covers the event and guidelines for taking out personal medical and possessions insurance **should** be given. Organisers **ought** to seek professional advice and ensure that they have sufficient Public Liability cover.

2.9 Communications

- Effective communication is vital to the safety and management of an event. Clear lines of communication and procedures **should** be in place as early in the planning process as possible. In a mountain environment, good communications are critical and can be difficult.
- Do not rely on mobile phones, as they will be unreliable in mountainous terrain. Discourage participants' use of mobile phones as this reduces control of the event if there is an incident.
- All communication **ought** to be channelled through a central control point. HF Radio is the best method to use. Ensure correct licensing is in place so as to avoid crowding out emergency service frequencies. It is advisable for radios to be used sparingly to enable quality communication and reduce congestion in the event of an incident.
- All communications between marshals and organisers **ought** to be routed through a central control centre.

2.10

Local Emergency Services

- Give local contact numbers of hospitals/ doctors/emergency services etc. to all marshals and participants.
- In the event of an incident that cannot be dealt with by your marshals, always phone the local Police by dialling 999. Remember to provide details of the location in the event of an incident, including a grid reference. The organisers **ought** to be aware of all local telephone numbers relating to the EmergencyServices. This **ought** to include local hospitals with a casualty department and doctors.
- Local Mountain Rescue Teams are unable to provide advice or specific safety cover and **should not** be approached to provide such a service. If the correct procedures have been observed at the consultation phase, the local mountain rescue service will already be aware of the event. When they arrive allow them to take control of the situation as they have been trained and can apply far more local knowledge.

2.11

Contingency Plans

- It is imperative to have a plan to cover even the worst incident, and brief all concerned to understand exactly what is expected of them. Ensure that you have an extreme weather plan (hot, cold, wet, foggy, snowy etc).
- Bear in mind that weather in the UK is at best unpredictable and dramatic changes may result in your participants being at risk. Make provision for extreme weather and establish safety considerations. Be prepared to close down the event and make arrangements to provide information in the event of a cancellation due to extreme weather conditions. Have your shut down plan ready to put into action before the event. The organisers **ought** to make sure that everyone – from marshals to participants – knows and understands the procedures to follow for the closedown of an event.

- Emergency services **ought** to be alerted in the event of an incident by dialling 999.
- Prepare a media plan, to be used in the event of an incident. Determine who will be responsible for dealing with the press, (ideally one of the organisers or a senior member of the charity staff). Don't underestimate how quickly the media can get hold of a story. Press releases should go out as early as possible to prevent the media from drawing conclusions, and prepare a holding statement to be used if necessary. Consult a PR Specialist for advice or consider attending a course on incident management.

2.12

Follow Up

- Remember to acknowledge and thank everyone who helped to facilitate the event, e.g. National Parks Authorities, landowners, participants and others.
- **Create no disturbance or inconvenience to the local community and environment.**
- Organisers and participants have an obligation to maintain the local environment in its condition prior to the event. **No trace of the event should** be evident afterwards. In order to do this, special arrangements have to be made to remove any signage, litter, or other evidence after the event. Bin liners **should** be provided and all litter removed from the location.
- If any inconvenience was created, it **should** be recognised and noted for future reference. Any damage caused by your event **ought** to be immediately reported.

3.0 Key Legal Points

3.1 Challenge Events Run by Third Parties

- Particular care should be exercised where the challenge event is organised/promoted by a third party operating externally on behalf of the beneficiary charity which is subject to regulations within the Charities Acts.
- If the third party organisation solicits money or property on behalf of the charity and/or receives or holds the fundraised income on behalf of the charity, then it is likely that the third party organisation will be defined as a professional fundraiser or commercial participator under Part II, Charities Act 1992.
- Where this is the case it shall be the responsibility of the third party organiser/promoter of the event to ensure that they comply, in full with the requirements of Part II, Charities Act 1992.
- Notwithstanding the above, the charity benefiting from a challenge event organised by a third party on its behalf, shall be deemed responsible for the full compliance by the third party with this Code of Fundraising Practice.

3.2 Fundraising

- The organiser/promoter of the challenge event **must** be responsible for the compliance in law of all fundraising activities associated with the challenge event, including security and control of funds collected and declaration of the registered charity number on all publicity materials.
- Particular care **must** be exercised by the organiser/promoter to ensure compliance with all relevant Public Collections Regulations pertinent to the location of the challenge event and to ensure that sufficient recording and administrative controls are in place to maintain the security of all funds raised in association with the event at all times.
- Where the benefiting organisation is a Registered Charity established in England or Wales, the organiser/promoter **must** ensure that all printed documents and fundraising material associated with the challenge comply, in full, with the requirements of Section 5, Charities Act 1993. This stipulates that the Registered Charitable Status of the organisation **must** be clearly displayed on all such documents.

4.0 Code of Fundraising Practice for The Three Peaks Challenge

4.1 General

The Three Peaks Challenge has become increasingly popular as a fundraising event. Teams are challenged to climb Ben Nevis, Scafell Pike and Snowdon, the highest mountains in Scotland, England and Wales. This is putting pressure on the same localities throughout the summer months, with considerable impact on the environment, local residents, rescue services and amenities. The National Parks and landowners are responding by discouraging further growth of the event. The Institute of Fundraising recognises the adverse effect of this growth and is, therefore, encouraging better event management.

An organiser **ought** to:

- ensure that all landowners are informed of your plans beforehand
- respond to their recommendations; it may be necessary to alter dates or routes
- avoid the peak summer – especially June. Events should not cause overcrowding on the mountains
- contact other charities organising events of this type to avoid difficulties that arise if two events clash on the same date (see Appendix 5.1)
- avoid Bank Holidays when other users should be considered
- avoid weekends, if possible. A Friday/Saturday event is preferable to Saturday/Sunday
- limit the number of walkers to no more than 200 per event, unless special dispensation is granted by the landowners
- plan the event to avoid congestion – stagger start times
- check equipment and experience levels
- ensure that all walkers are thoroughly briefed on routes, environmental issues and the need to keep to paths
- show respect for other hill users and local residents
- inform the rescue services of your plans

- provide high quality marshals with local experience and in sufficient numbers. It should not be assumed that local Mountain Rescue Teams can provide such a service
- have a central control centre – effective communication is vital to safety and management
- be prepared to deal with accidents, emergencies or poor weather conditions
- clean local toilets and clear litter before leaving the area
- report any damage to the local landowners
- strongly discourage racing between teams on and between mountains; agree designated rest stops and driving times beforehand that recognise speed limits.

4.2 Local Conditions

An organiser **ought** to be aware of local particular local conditions:

- do not embark or disembark in local settlements between 12 midnight and 5 am
- do not use large coaches as these will block narrow roads – use only minibuses in the vicinity of each mountain
- local facilities are inadequate for large events. Identify and use motorway services and other facilities en route
- use the Visitor Centre at Glen Nevis as the start point for Ben Nevis
- if starting at Wasdale, do not park on Wasdale Green. There are limited water supplies so teams should bring their own water
- if using Pen-y-Pass (Snowdon), parking is usually difficult and waiting not possible. Disembark only.

Your event **ought** to have minimal adverse impact on the mountains, the local communities and enjoyment of other visitors.

5.0 Appendices

5.1

Charities who Organise Challenge Events

- Raleigh International
- Wooden Spoon Society
- British Heart Foundation
- Cystic Fibrosis
- Water Aid
- Fire Services Benevolent Fund
- The Guide Dogs for the Blind Association
- Trinity Hospice
- Aspire
- Macmillan Cancer Relief
- Hesley Foundation
- Shelter
- Addaction
- National Deaf Children's Society

5.2

Suggested Additional Reading

Sporting and Challenge Events in the Countryside, February 1998, Countryside Commission, English Sports Council and the Environment Agency ESC/768/2M/2/98.

Adventure Activities Licensing Regulation 1996, Health and Safety Commission, available from Health & Safety Executive – Books Division.

Mountaineering and Leadership, by Eric Langmuir 1995 Third Edition, published by the Scottish Sports Council and the Mountain Leader Training Board.

Rights of Way: A Guide to Law and Practice, Ramblers Association.

Rights of Way: A Guide to Law in Scotland, Scottish Rights of Way Society 1986.

Leading and Managing Groups in the Outdoors, by Ken Ogilvie 1993, National Association for Outdoor Education.

Management of Organisational Behaviour, by P Hersey and K H Blanchard, Prentice Hall 1969.

Adventure Education and Outdoor Leadership, vol 5, No1 Spring 1988 Ed Chris Loynes. Special edition on outdoor leadership.

Heading for the Scottish Hills, Mountaineering Council for Scotland and the Scottish Landowners Federation.

A Simple Guide to the Three Peaks Challenge, by Guy Newham, Wildernet Digital Publishing, PO Box 1702, Salisbury, Wilts SP2 7XJ (ISBN 0 9532 256 5 8).