

# Institute of Fundraising Compliance Rule Book

Private Site Operational

# Contents

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- 1 How to use the IoF Compliance Rule Book.....3
- 2 Rules for operational staff.....4
- 3 Guidance.....5

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# 1 How to use the IoF Compliance Rule Book

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Face-to-face (F2F) fundraising is the solicitation of a regular gift to charity, usually by direct debit or standing order. The purpose of this *Rule Book* is to set out the standards expected of face-to-face fundraising organisations operating on Private Sites. These rules are binding on IoF members.

## Penalties and sanctions

The IoF Compliance Rule Book is enforced through penalties and sanctions. These are designed to encourage best practice and raise standards within face-to-face fundraising.

Employers or contractors of fundraisers accrue penalty points if a rule is broken in either this Private Site Operational rule book or the Fundraising Regulator Private Site Fundraising rule book. Each point accrued has an equivalent value of £1. A monetary bill will be issued when an organisation's annual points total accrued from both the fundraising rule book and the operational rule book combined equals or exceeds 1000 points. Revenue incurred from penalty point fines at the end of each financial year is re-invested by IoF Compliance into training and development to improve standards within face-to-face fundraising.

The size of the penalty is dependent on the severity of the discretion.

In addition, **penalty points will be multiplied for repeat violations of the same rule.** In any given rolling 4 week period, every third repeat infringement of the same rule will incur a penalty which is twice the normal sum, so long as the third offence does not occur within 1 week of notification of the first offence. Where a fundraiser has made multiple rule transgressions of different severities during one observation by any of the nominated persons set out below, each breach will be included as a separate transgression.

To impose penalties the IoF Compliance team will use the civil standard of proof (i.e. on a balance of probabilities, or "more probable than not").

### Who can report a rule breach?

Penalty points are issued when reported via:

- IoF Compliance staff
- Mystery shopping agents
- Site Management Agreement Gatekeepers
- Substantiated public complaints.

### Legal requirements

Alongside compliance with IoF Compliance it is the duty of individual members to ensure that their fundraising practices and those of any organisations they sub-contract are compliant with the law. Latest guidance on current legislation can be found at [www.institute-of-fundraising.org.uk](http://www.institute-of-fundraising.org.uk)

## 2 Rules for Operational Staff

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### **RULE OpA: Solicitation statement submission**

Before commencement of a new campaign, members **MUST** submit their planned solicitation statement (including the notifiable amount) to the IoF Compliance team who will review and confirm, or provide feedback on, the statement within 1 working day of receiving it. Solicitation statements **MUST** also be submitted to IoF Compliance for review annually if used in a rolling campaign and whenever the wording is updated.

Further information on solicitation statements can be found at [www.institute-of-fundraising.org.uk](http://www.institute-of-fundraising.org.uk)

#### **Sanction**

The penalty is 100 points **per campaign**.

### **RULE OpB: Sub-contractors**

All agency members that employ sub-contractors to deliver any part of their F2F donor volumes **MUST**:

- provide IoF Compliance with the name and location of each and every such sub-contractor throughout the entire supply-chain, so that the IoF Compliance team can reliably confirm their status, and refer matters accordingly, in the event of quality comments or complaints
- include in their contractual arrangements a clear requirement for each and every such sub-contractor **throughout the entire supply-chain** to comply with all IoF Compliance rules, in the same manner as if they were the lead member contracting them.

#### **Sanction**

The penalty is 100 points **per incident**.

### **RULE OpC: Private Site lists**

Private Site lists **MUST** include the name of the venue, the full address and postcode and the specific dates that the venue will be used. All the information contained therein **MUST** be accurate.

Private sites lists should be submitted using the generic template provided.

Private Site lists **MUST** be submitted **by Providers** to IoF Compliance and any relevant IoF mystery shopping partners by 3pm each Friday for the following week's fundraising activity. While it may not be possible to submit exhaustive lists by this deadline, submissions should be as comprehensive as possible.

#### **Sanction**

The penalty is 50 points **per incident**.

### **RULE OpD: Private Site changes**

All changes to Private Site lists **MUST** be communicated to IoF Compliance and any relevant IoF mystery shopping partners, and to charities where relevant, by 11am on the day of the visit.

When contacted by the IoF Compliance team in order to establish whether or not a Private Site is being used, Providers **MUST** respond within 30 minutes of the initial contact.

#### **Sanction**

The penalty is 50 points **per incident**.

## 3 Guidance

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### Penalties and sanctions

Employers or contractors of fundraisers will accrue penalty points as rules are broken in either this Private Site Operational rule book or the Fundraising Regulator Private Site Fundraising rule book. . Where the employer or contractor is operating on behalf of another fundraising organisation, the member being represented when rules are broken will be notified of the points accrued.

#### Repeated violations

In addition to the penalty points outlined, penalty points will be multiplied for repeat violations of the same rule. In any given rolling 4 week period, every third repeat infringement will incur a penalty which is twice the normal sum, so long as the third offence does not occur within 1 week of notification of the first offence.

To impose penalties the IoF Compliance team will use the civil standard of proof (i.e. on a balance of probabilities, or “more probable than not”).

Each point accrued has an equivalent value of £1. A monetary bill will only be issued when an organisation’s annual points total from both the fundraising rule book and the operational rule book combined reaches or exceeds 1000 points.

Members can view their penalty points data through their Dropbox account.

#### Appeals Process

Appeals will be heard by:

1. IoF Compliance Head of Standards. If s/he is unable to resolve the appeal to the satisfaction of the appellant, it will be heard by a Penalty Appeals Panel.
2. Penalty Appeals Panel. The Panel will be convened of 3 members of the Compliance Committees (none of whom must have any current contractual relationship with the appellant) to hear the appeal. The findings of that Panel will remain final.

In cases which go to the Penalty Appeals Panel, a deposit of 25% of the cost of the penalty is required to make that appeal. This covers the administrative costs of processing the appeal.

In the event that:

- the penalty is upheld, the deposit is forfeited.
- the appeal is upheld, the deposit is returned

To ensure timely information gathering and appeal processing, appeals must be made within one calendar month of the penalty points being issued.

#### Year end

At the end of each financial year (31<sup>st</sup> March) and when their balance for those who have accrued more than 1000 points is cleared, all members’ points will return to zero.

Should a member accrue a yearly total that is less than the 1000 point threshold, their points total will be erased without any payment being required.

## Referral to the Fundraising Regulator

In cases where evidence of a severe compliance breach exists, IoF Compliance may refer a case to the Fundraising Regulator. This may include cases where there is a risk of causing significant public harm or detriment, of undermining public confidence in charities beyond the breach itself, or where there is evidence of a sector wide issue that may require changes to the Code of Fundraising practice or new guidance.

## TABLES OF PENALTY POINTS APPLIED TO FUNDRAISING REGULATOR PRIVATE SITE FUNDRAISING RULE BOOK

	Rule	Penalty points	Applied
<b>Rules for Fundraisers</b>	Fr1: Commencement of work	50	Per incident
	Fr2: Best Behaviour	100	per incident
	Fr3: Managing Vulnerability	100	per incident
	Fr4: Solicitation Statements	200	per incident
	Fr5: The "Three-Step" rule	100	per fundraiser, per incident
	Fr6: Fundraiser positioning	100	per fundraiser, per incident
	Fr7: Deliberate Obstruction	100	per fundraiser, per incident
	Fr8: Consent for future contact	100	per incident
	Fr9: Immediate Termination	100	per incident
	Fr10: Committed Giving	50	per incident
	Fr11: Financial Ask Transparency	50	per incident
	Fr12: I.D. Visibility	50	per fundraiser, per day
	Fr13: Fundraiser Visibility	50	per fundraiser, per day
	Fr14: Members of the public who are 'on duty'	50	per incident
	Fr15: Seated or queueing members of the public	50	per incident
	Fr16: Respect for local businesses	50	per incident
	Fr17: Location Changes	50	per incident

	Rule	Penalty points	Applied
<b>Rules for Operational Staff</b>	Op1: Private Site bookings	50	per incident
	Op2: Permission	100	per fundraiser, per incident