

PROPOSALS FOR A 'FUNDRAISING PREFERENCE SERVICE'

DISCUSSION PAPER

The Fundraising Preference Service: A conversation with stakeholders

A new Fundraising Preference Service was proposed in the report 'Regulating Fundraising for the Future'. This was accepted by the sector and welcomed by ministers and others. It was agreed a working group should be set up to develop recommendations on how to implement the Fundraising Preference Service.

The working group is a short-term group of experts focused on the practicalities of a Service. The document sets out the group's top-line thinking in relation to fundraising and other forms of communication, and the practicality of addressing different communication channels. It suggests ways in which we can ensure people can register wishes to maintain communications with some fundraisers alongside a 'reset' mechanism that will stop all others, and signposting and help for those with other needs. It asks about the practicality of small fundraisers engaging with an FPS database and explores exemptions. It touches on other operational issues for those engaging with FPS data, looks at how data might be refreshed and invited views on how we might help those wishing to protect others with vulnerability.

This document takes the form of a conversation – setting out our thoughts and inviting comment. The document was produced to give structure to conversations we will have with fundraisers and charities of all sizes and other stakeholders as an aid to working group activity. Alongside meetings we have posted the document online to allow all stakeholders to see how thinking is going and to feed thoughts in.

The document's focus is on the main issues around scope. The working group has had talks with IT providers and others with experience of preference services. Adding granularity, choice and possible exemptions would add to the complexity of a service from an operational perspective and could lead to confusion on the user's side. But we believe arrangements on the lines proposed can be delivered. We are not sufficiently advanced with technical talks to use this document to invite comments in depth on the operational interaction between fundraisers and an FPS file, but we are clear this has to be easy to do and must deliver data that is accurate.

We look forward to hearing from stakeholders. The conversations will continue until Thursday 31 March when we will take stock and move on to an examination of how the service is delivered from a practical perspective.

Scope

Key propositions

We propose that the FPS should apply to fundraising communications, ie communications carried on for gain and wholly or primarily engaged in soliciting or otherwise procuring money or other property for charitable, benevolent or philanthropic purposes.

Accordingly, registration with the FPS should not prevent other forms of communication between organisations and individuals where the purpose of the communication clearly is not a solicitation.

In particular, FPS registration should not prevent the following.

- Communications for the effective administration of any direct debit or other financial arrangements that exist at the point when an individual registers with the FPS. It is essential however that such correspondence is not used as a means to ask for additional or higher contributions.
- Messages of thanks for donations received, on the understanding such communications do not then take the form of some further 'ask'.
- Communications including information about the organisation's activities and how to get involved, newsletters about participation events and sponsorship opportunities.

Questions for discussion

We welcome views on whether it would be possible in practice to separate fundraising communications from other communications, or whether organisations integrate their communications as part of managing their relationship with supporters and donors.

We welcome views on whether there is a distinction between fundraising communications and trading communications, and if so whether FPS registration should not extend to trading communications.

The unique status charities have in law in terms of a right to run lotteries to support worthy causes implies this is a form of fundraising. We welcome views on whether communications about lotteries and raffles are a form of fundraising communication.

We welcome views on organisations' practice and on the practicality of sending a message of thanks for financial support received without these messages being seen as a fundraising communication.

The discretion that this approach might introduce could leave FPS registrants unclear or frustrated with the seeming failure of registration to end forms of contact. We welcome views on whether this risk might undermine the service and on how this might be mitigated.

Channels

Key propositions

The report Regulating Fundraising for the Future and the working group terms of reference refer to ‘fundraising communications’ and to a FPS that ‘individuals’ can access.

We propose that the FPS should enable individuals to manage their contacts, and should therefore not generally apply on a household basis.

We propose that the FPS should apply to the following channels.

- Addressed mail
- Telephone, including mobile
- Email

We propose that the ‘reset’ option should necessarily relate to all channels of communication, as it requires ‘no further contact’ after registration. It will be for the Fundraising Regulator to decide whether any exceptions are to be made on operational grounds.

Questions for discussion

We welcome views on the practicality and consequences of the suggestion that FPS registration cannot work in relation to door to door activity or face to face fundraising, since organisations fundraising through these channels have no means of knowing whether individuals are registered with the FPS.

We welcome feedback on whether the exclusion of unaddressed mail will cause unwanted consequences, such as a dramatic rise in the use of this method of communication. We welcome thoughts on how we might safeguard against this risk.

We welcome comments on fundraising communications using social media, dealing in particular with the ability of a fundraiser to check the identity of an individual with Facebook, Twitter or other links to the fundraiser.

We welcome comment on the extent to which fundraisers have multiple addresses and electronic addresses for individual donors, supporters and prospects. We welcome views on whether registration with FPS should relate to a single principle address, one email address and a landline and/or mobile number.

We welcome views on how to minimise the risk of inconsistencies between data held by the FPS and fundraising organisations.

User experience and choice

Key propositions

People might turn to a Preference Service for a variety of reasons.

The FPS must provide users with the 'reset' option if they wish simply to end all fundraising communications. However it should also give users the option of listing organisations from which they wish to continue receiving fundraising communications.

Individuals have the ability at any point thereafter to override this registration of their preferences by taking action to engage or re-engage with charities and, in so doing, giving the charities a renewed consent to send fundraising communications

Alongside the FPS option we think the FPS website and any supporting call centre operation should be able also to:

- signpost a person to a specific charity or charities if that person is looking to stop specific material rather than fundraising communications more generally
- signpost existing mail and telephony preference services if a person's frustration is with 'nuisance calls' or 'junk mail' generally rather than fundraising in specific.

Regardless of FPS registration, organisations would continue to be required to check and comply with existing mail and telephony preference services.

Questions for discussion

We will explore the mechanics for allowing all fundraisers to access FPS data files that will reflect situations where a registrant has made an exemption in relation to named fundraisers or charities. We welcome views on how the FPS registration information should be accessible to organisations.

Access to FPS information should be continuous. With other preference services the compliance assumption is that a registrant's wishes will be reflected in an end to calls or mail within 28 days of registration. Would this be similarly reasonable in relation to a FPS registration?

We are giving thought to ways of issuing 'receipts' or messages of confirmation of registration. Our aim is to maximise the users understanding of what they have done in the registration. This might list any charity/fundraisers exempted from a re-set registration and make clear others will not have future right to ask unless or until new consent is given. This message might also address any communications or entities that are not covered by FPS registration.

Duration

Key proposition

We are not proposing that FPS registration should be time-limited but believe the Fundraising Regulator must keep the service and the quality of the data under review in light of regulatory and other changes.

We propose that the FPS should provide users with the ability to amend their FPS registration, to ensure their contact details and preferences are up to date.

Questions for discussion

We welcome views on whether it is practical for individuals registered with the FPS to receive an annual reminder about their contacts and preferences.

We welcome comments on the challenges in maintaining the data accuracy of FPS registrations.

Application

Key propositions

We do not propose to exempt particular types of organisation or fundraising from the FPS.

However for practical reasons, we propose that fundraising organisations with an income below £1m should not be required to check their fundraising campaigns against the FPS.

Questions for discussion

We welcome views on the operational implications and costs for fundraising organisations of different sizes and forms to comply with a duty to check their fundraising campaigns against the FPS.

We welcome comment on how some exemption from smaller charities checking campaigns against FPS sits alongside the risk that vulnerable people who had FPS registered will continue to receive some fundraising asks.

We welcome comment on whether an exemption would have a material impact on the volume of fundraising communications, ie do smaller charities as defined account for a significant proportion of the material sent and calls made?

The FPS as a tool for vulnerable people

Key proposition

We propose that an individual with a duty of care or family member should be able to register someone on the FPS if they believe this is necessary given that person's potential vulnerability and lack of ability to manage fundraising communications.

Questions for discussion

We welcome views on how to assess a person's vulnerability for the purposes of FPS registration or on whether the FPS should not engage in any such assessment.

We welcome views on the proposition that a person can be registered by an individual with duty of care or family member. Or should the ability to register a vulnerable person be available to a wider group of people (eg friends)?

We welcome views on whether the vulnerable person who has been registered should receive notification of their registration and the option to amend or override the registration.

We welcome views on the proposition this ability to register a friend of family member is limited and that it would not be appropriate more generally for third party individuals or entities to register others individually or on any wider community basis.