

Basingstoke and Deane



working together

Charity Collections Policy

2027 to 2032

Contents

Part 1. Introduction 3
1.1 Purpose of the Policy 3
1.2 Legislative Framework 3
1.3 Scope 3
Part 2. Glossary of Terms 4
Part 3. Policy Objectives 6
Part 4. Equality, Human Rights and Public Law Principles 6
Part 5. Charitable Purposes and Definitions 7
Part 6. Locations and Allocation of Collections 7
Part 7. Applications 8
Part 8. Street Collections 9
Part 9. Direct Debit and Cashless Fundraising 9
Part 10. House to House Collections 10
10.1 Collections 10
10.2 National Exemption Orders 10
10.3 Applications 10
Part 11. Fundraising Standards 10
Part 12. Grounds for Refusal and Revocation 11
Part 13. Financial Returns and Accountability 11
Part 14. Enforcement 12
Part 15. Reviews and Appeals 13
Part 16. Monitoring and Review 13
Appendix A - Street Collection Regulations 14
Appendix B - House to House Collections Requirements 18
Appendix C - Direct Debit and Cashless Fundraising Code of Conduct 22

Part 1. Introduction

1.1 Purpose of the Policy

This Policy establishes the framework through which the Shared Licensing Service administers and regulates charitable collections within the administrative areas of Basingstoke and Deane Borough Council and Hart District Council. It is intended to provide clarity for applicants, officers, elected Members and members of the public regarding the standards and procedures that will be applied when charitable fundraising activities are proposed.

The Council recognises the important contribution made by charities, voluntary organisations and not-for-profit groups in supporting local communities, alleviating hardship, advancing education and health, protecting the environment and promoting other charitable purposes. Fundraising activities provide an essential source of income for such organisations and the Council will seek to facilitate legitimate charitable collections wherever it is appropriate to do so.

At the same time, charitable collections must be conducted in a manner that protects residents, visitors and businesses from nuisance, harassment, fraud, obstruction and excessive solicitation. The Council has a responsibility to ensure that charitable appeals are conducted in a fair, transparent and accountable manner and that public confidence in charitable fundraising is maintained.

1.2 Legislative Framework

This Policy has been prepared having regard to:

- Police, Factories etc. (Miscellaneous Provisions) Act 1916;
- House to House Collections Act 1939;
- House to House Collections Regulations 1947 (as amended);
- Charities Act 1992;
- Charities Act 2006;
- Charities Act 2011;
- Equality Act 2010;
- Human Rights Act 1998;
- Data Protection legislation;
- Relevant statutory guidance and recognised fundraising codes of practice.

Nothing within this Policy shall override statutory requirements, and where there is any conflict between this Policy and legislation, the legislation shall prevail.

1.3 Scope

The Policy applies to:

- Street collections involving money or articles;
- House to house collections involving money or donated goods;
- Charity appeals involving direct debit mandates;
- Collections involving electronic or contactless payments;
- Commercial participators acting on behalf of charities;
- Any other collection activity falling within the Council's regulatory responsibilities.

Part 2. Glossary of Terms

Term	Definition
Authorised Collector	An individual formally authorised by a promoter to undertake fundraising activities on behalf of a charity or approved organisation.
Benefiting Charity	The charity or charitable cause intended to receive all or part of the proceeds from a collection.
Cashless Donation	A donation made electronically, including contactless, card, mobile or QR code payments.
Charitable Purpose	A purpose recognised as charitable in law, including relief of poverty, education, religion, health, community development, environment and animal welfare.
Charity	An institution established for charitable purposes only and recognised under charity law.
Collection	An appeal to the public for money, goods, clothing, direct debit commitments or other property for charitable purposes.
Collection Fatigue	The effect of excessive fundraising activity causing annoyance or reduced willingness to donate.
Collection Permit	A permit authorising a street collection under relevant legislation.
Commercial Participator	A business or organisation participating in fundraising on behalf of a charity and receiving a financial benefit.

Council	Basingstoke and Deane Borough Council and Hart District Council acting through the Shared Licensing Service.
Direct Debit Fundraising	Fundraising involving regular charitable donations through a bank mandate or recurring payment arrangement.
Fit and Proper Person	A person whose character and conduct are suitable having regard to the activity proposed.
Fundraising Regulator	The independent body responsible for regulating charitable fundraising and maintaining the Code of Fundraising Practice.
House to House Collection	An appeal made door to door for money, goods or other property for charitable purposes.
House to House Collection Licence	A licence issued under the House to House Collections Act 1939.
National Exemption Order	An exemption permitting specified charities to undertake collections without obtaining individual licences.
Permit Holder	The person or organisation to whom a permit or licence has been granted.
Private Land	Land owned by a private individual or organisation where landowner consent may be required.
Promoter	A person or organisation that organises or authorises others to act as collectors.
Public Place	A location to which the public generally has access, whether publicly or privately owned.
Schedule of Return	The financial statement submitted after a collection detailing proceeds, expenses and charitable application.
Shared Licensing Service (SLS)	The service responsible for administering charity collection functions on behalf of the councils.
Solicitation Statement	Information provided to donors explaining the fundraising arrangement and use of donations.

Street	Any highway, road, footway, square, alley, passage or public thoroughfare.
Street Collection	A collection conducted in a street or public place for charitable purposes.
Tacit Consent	The principle whereby an application could be treated as approved if not determined within a stated period.
Volunteer Collector	A collector receiving no remuneration other than reasonable expenses.
Working Day	Any day other than weekends, Christmas Day, Good Friday or a Bank Holiday in England.

Part 3. Policy Objectives

The Council seeks to maintain a proportionate approach that supports charitable fundraising whilst ensuring that public spaces remain safe, accessible and free from excessive fundraising activity.

In exercising its functions under this Policy, the following objectives shall be pursued:

- The efficient administration of applications through a consistent and transparent process. Decisions should be capable of being clearly explained and justified with reference to relevant facts and policy considerations.
- The promotion of legitimate charitable fundraising activities and the encouragement of good fundraising practices.
- The prevention of excessive solicitation and "collection fatigue" through the management of collection dates, locations and frequencies.
- The protection of residents, businesses and visitors from nuisance, obstruction, intimidation, misleading conduct and fraudulent fundraising practices.
- The promotion of transparency and accountability through appropriate financial reporting and record keeping arrangements.
- The maintenance of public confidence in charitable fundraising and the charity sector generally.

Part 4. Equality, Human Rights and Public Law Principles

In determining applications and exercising regulatory powers, due regard shall be given to the Public Sector Equality Duty contained in Section 149 of the Equality Act 2010. Decisions shall be taken in a manner that seeks to eliminate unlawful

discrimination, advance equality of opportunity and foster good relations between persons who share protected characteristics and those who do not.

The Council recognises that many charitable organisations exist for the benefit of groups with protected characteristics. Applications will not be granted or refused solely because a charity supports, represents or promotes the interests of a particular protected group. However, equality impacts and community benefits may be considered as part of the overall assessment where relevant.

All decisions under this Policy shall be made in accordance with accepted public law principles. Decisions shall be evidence-based, proportionate, fair and reasonable. Applicants shall be afforded procedural fairness and relevant factors shall be taken into account whilst irrelevant considerations shall be disregarded.

Part 5. Charitable Purposes and Definitions

For the purposes of this Policy, charitable purposes shall generally be interpreted in accordance with the Charities Act 2011. Activities connected with the prevention or relief of poverty, education, religion, health, community development, arts, culture, heritage, science, amateur sport, environmental protection, animal welfare, equality, human rights and the relief of disadvantage shall normally be recognised as charitable purposes.

Applications which appear principally intended to generate private gain, personal sponsorship, commercial profit or other non-charitable benefits will not normally be approved. Where doubt exists regarding charitable status, further information may be requested and enquiries may be made of the Charity Commission or other relevant bodies.

Part 6. Locations and Allocation of Collections

Charity collections may be permitted in streets and public places throughout the districts of Basingstoke and Deane and Hart, subject to any statutory restrictions and the availability of suitable locations.

In allocating locations and dates, regard shall be had to:

- Existing bookings;
- Markets and seasonal events;
- Civic events;
- Roadworks and highway considerations;
- Public safety;
- Pedestrian flows;
- Impact upon traders and businesses;

The need to avoid excessive concentration of fundraising activity.

- The Council recognises that the Top of Town area of Basingstoke, including Market Place, Winchester Street, London Street, Wote Street and Church Street, experiences a high level of footfall and regularly hosts markets, civic events, seasonal activities and other programmed uses.
- To ensure equitable allocation of opportunities, limitations may be imposed on the frequency with which an individual organisation may collect at particular locations. However, each case shall be considered on its individual merits and no restriction shall operate as an absolute rule.

When determining applications for collections within these locations, regard may be had to:

- Existing market commitments;
- Civic and community events;
- Seasonal and special event programmes;
- Public safety considerations;
- Pedestrian movement;
- Potential impact upon local businesses; and
- The avoidance of excessive fundraising activity.

Applications for dates that coincide with markets or authorised events may be refused, relocated or amended where this is necessary to ensure public safety, minimise disruption or avoid conflicts between activities.

The Council may limit the number of collections taking place within the Top of Town area during any given period where this is considered necessary to prevent collection fatigue and to ensure fair access to available collection opportunities.

Part 7. Applications

Applications shall normally be submitted not less than twenty-eight days before the proposed collection date. Earlier applications are encouraged wherever possible. Shorter application periods may be accepted where emergency appeals or exceptional circumstances are demonstrated.

Applicants shall provide sufficient information to enable the Council to undertake a proper assessment. Such information may include details relating to:

The organisation;

- Charity registration details;
- Collection methods;
- Proposed dates and locations;
- Fundraising partners;
- Financial arrangements;
- Previous fundraising activities;
- Public liability insurance;

- Safeguarding arrangements;
- Compliance history.

The Council reserves the right to seek additional information where this is considered necessary. Failure to provide information reasonably requested may result in refusal of an application.

The Council may require applicants to provide evidence of public liability insurance where the nature, scale or location of the proposed collection gives rise to potential public safety risks. Unless otherwise agreed, such insurance should provide indemnity cover of not less than £5 million for any one occurrence.

The Council reserves the right to require higher levels of cover where particular risks are identified.

Tacit Consent does not apply to applications made under this Policy. Fundraising activities must not commence unless the necessary permit, licence or authorisation has been granted.

All Scout applications within the Hart district will receive automatic consent yet they may be asked to change dates if other collections are in place at the same time in the same location.

Part 8. Street Collections

Street collections shall be conducted in accordance with statutory requirements and any conditions attached to a permit. Collectors shall conduct themselves in a courteous, professional and responsible manner at all times.

No collection shall be conducted in a manner likely to cause obstruction, annoyance, intimidation or inconvenience to members of the public. Collectors shall not follow individuals, block pedestrian routes or apply undue pressure upon potential donors.

Collectors shall be properly authorised and shall display appropriate identification where required. Collection boxes and fundraising equipment shall clearly identify the benefiting organisation.

Part 9. Direct Debit and Cashless Fundraising

The Council recognises that charitable fundraising methods have evolved and may now include direct debit mandates, contactless donations, electronic payments and similar technologies. Such methods shall be treated in accordance with applicable legislation and good fundraising practice.

Collectors engaged in direct debit fundraising must wear photographic identification and be capable of producing evidence of authorisation when requested. Solicitation statements shall be made available in accordance with applicable charity legislation.

Personal information obtained during fundraising activities shall be processed lawfully and securely. Compliance with data protection legislation and recognised payment security standards shall be expected at all times.

Part 10. House to House Collections

10.1 Collections

House to house collections are recognised as an important method of charitable fundraising and may involve the collection of money, clothing, household goods or other donated property. Such collections shall be administered in accordance with the House to House Collections Act 1939 and associated regulations.

10.2 National Exemption Orders

Certain charities may hold a National Exemption Order granted by the Secretary of State which enables specified collections to take place without the need to obtain individual House to House Collection Licences from local authorities.

Where an organisation claims exemption from licensing requirements, evidence of the relevant National Exemption Order may be requested.

Organisations benefiting from a National Exemption Order are expected to comply with all applicable legislation, fundraising standards and conditions associated with the exemption.

The existence of a National Exemption Order does not remove the requirement to obtain any other permissions, consents or authorisations that may be required by law.

10.3 Applications

Applications may be assessed having regard to:

- The percentage likely to reach charitable purposes;
- The proportion of proceeds expected to be applied to charitable purposes;
- The proposed remuneration structure;
- Collection costs;
- Previous collection returns;
- Governance arrangements;

Public benefit generated by the activity.

- Commercial clothing collections and direct debit campaigns may be subject to additional scrutiny to ensure that donors are not misled regarding the proportion of proceeds benefiting charitable purposes.

Part 11. Fundraising Standards

Applicants shall be expected to comply with all relevant legislation, guidance and recognised fundraising standards. Regard may be had to guidance issued by the Charity Commission, Fundraising Regulator, Advertising Standards Authority and Trading Standards bodies.

Registration with the Fundraising Regulator will be regarded positively as evidence of good governance and commitment to recognised standards. However, applications shall be assessed on their own merits and registration shall not be treated as a mandatory requirement.

Applicants shall be expected to demonstrate honesty, transparency and openness in their fundraising communications and promotional materials.

Part 12. Grounds for Refusal and Revocation

Applications may be refused, and permits or licences may be revoked, where permitted by legislation or where such action is necessary and proportionate in the public interest.

Relevant considerations may include:

- Failure to provide required information;
- Previous breaches of licence conditions;
- Failure to submit financial returns;
- Public safety concerns;
- Fraud or dishonesty concerns;
- Misleading fundraising practices;
- Excessive collection costs;
- Unsatisfactory compliance history;
- Provision of false or misleading information.

The statutory grounds applicable to House to House Collection Licences shall apply in all relevant cases and shall take precedence over local policy provisions.

Part 13. Financial Returns and Accountability

Within one month of a collection taking place, a financial return shall normally be submitted detailing:

- Gross proceeds collected;
- Relevant expenses;
- Net amount applied to charitable purposes; and
- Details of the benefiting charity.

The Council may require returns to be accompanied by supporting documentation, including bank statements, paying-in slips, receipts, charity acknowledgements,

independently signed declarations or other evidence demonstrating the application of funds.

Where considered necessary, the Council may require a return to be independently verified.

The Council will normally expect that a significant proportion of the proceeds of any collection are applied to the charitable purposes for which the collection is promoted. As a general guide, the Council will normally expect at least 80% of the proceeds to be applied to charitable purposes in the case of national charities and at least 60% in the case of locally based charities.

Where an application, financial projection, or return indicates that a lower proportion will be applied to charitable purposes, the Council may undertake further enquiries and take this into account when determining whether to grant, renew, or continue to authorise a collection. A lower percentage will not automatically result in refusal. Each case will be considered on its individual merits, taking account of all relevant circumstances, including the scale of the charity's activities, reasonable fundraising costs, the nature of the collection, and any exceptional circumstances demonstrated by the applicant.

In the case of locally based charities, the Council recognises that fundraising arrangements, resources, and operating costs may differ from those of larger national organisations. Where justified by the circumstances of the charity and the proposed collection, an alternative minimum percentage may be agreed by the Shared Service Licensing Team Leader. Any such agreement will be considered on a case-by-case basis and will take account of the charity's overall charitable objectives, anticipated fundraising costs, financial sustainability, and the extent to which the collection will benefit the local community.

Applicants seeking approval for an alternative percentage will be required to provide sufficient supporting information to enable the Council to assess the request. The Council reserves the right to refuse such requests where it is not satisfied that the proposed arrangements are reasonable, proportionate, and consistent with the public interest.

The applicant may also be required to provide evidence of anticipated or actual expenditure and an explanation of why the proposed or achieved proportion applied to charitable purposes falls below the Council's usual expectations.

Where false, misleading or materially inaccurate returns are submitted, this may be treated as a compliance failure and may result in refusal, revocation or other appropriate regulatory action.

Part 14. Enforcement

The Council may investigate complaints and concerns relating to charitable collections conducted within its area. Information may be shared with other regulatory bodies where lawful and appropriate to do so.

Appropriate enforcement action may be undertaken where there is evidence of unauthorised collections, misleading fundraising, safeguarding concerns, obstruction, fraud or other unlawful conduct. Enforcement action shall be proportionate to the seriousness of the breach and the level of risk posed to the public.

Part 15. Reviews and Appeals

Applicants dissatisfied with a street collection decision may request a review by a senior officer within fourteen days of notification. The review shall consider whether relevant information was taken into account and whether the decision was made in accordance with legislation and this Policy.

Where a House to House Collection Licence is refused or revoked, applicants shall be advised of any statutory rights of appeal available under the relevant legislation.

Part 16. Monitoring and Review

The operation of this Policy shall be monitored on an ongoing basis. Regard shall be had to changes in legislation, government guidance, case law, fundraising practices and local circumstances.

A full review shall normally be undertaken every five years, although an earlier review may be conducted where this is considered necessary. Consultation may be undertaken with charities, regulatory bodies, businesses, residents and other stakeholders as part of the review process.

This Policy shall be applied with the overriding aim of supporting legitimate charitable fundraising whilst protecting the public interest and maintaining confidence in the regulation of charitable collections.

Appendix A - Street Collection Regulations

The Shared Licensing Service (SLS) for Basingstoke and Deane Borough Council and Hart District Council Street Collection Regulations Made pursuant to Section 5 of the Police, Factories etc. (Miscellaneous Provisions) Act 1916

In exercise of the powers conferred by Section 5 of the Police, Factories etc. (Miscellaneous Provisions) Act 1916, as amended by Section 251 and Schedule 29 of the Local Government Act 1972, Basingstoke and Deane Borough Council and Hart District Council make the following Regulations governing the collection of money and the sale of articles for charitable purposes in streets and public places within their administrative areas.

1. Interpretation

In these Regulations, unless the context otherwise requires:

- Collection means a collection of money or articles for charitable or other approved purposes.
- Collector means a person participating in a collection.
- Promoter means a person or organisation causing others to act as collectors.
- Licensing Authority means Basingstoke and Deane Borough Council or Hart District Council acting through the Shared Licensing Service.
- Permit means a Street Collection Permit issued by the Licensing Authority.
- Contributor means a person making a donation or purchasing articles for the benefit of a charitable or other approved purpose.
- Collecting Box means a box or other secure receptacle used for the collection of donations.
- Street includes any highway, road, footway, square, alley, court, passage or public thoroughfare.

2. Requirement for a Permit

No collection, other than a collection taken at a meeting held in the open air, shall be conducted in any street or public place unless the promoter has first obtained a permit from the Licensing Authority.

3. Applications

Applications for permits shall normally be submitted not less than twenty-eight days before the proposed collection date.

The Licensing Authority may accept shorter notice where special circumstances or emergency appeals justify doing so.

4. Time and Location Restrictions

No collection shall be conducted except on the date, during the times, and within the locations specified in the permit.

The Licensing Authority may restrict a collection to specified streets, public places or parts thereof.

5. Authority of Collectors

No person shall participate in a collection unless authorised by the promoter.

Collectors shall carry evidence of their authority and shall produce it upon request to:

- A duly authorised officer of the Licensing Authority; or
- A constable.

6. Safety Requirements

No collection shall be conducted in any part of a carriageway where a footway is available, unless expressly authorised by the Licensing Authority as part of an approved procession or event.

All collections shall be conducted in a manner that promotes public safety and avoids obstruction of pedestrian or vehicular traffic.

7. Conduct of Collectors

Collectors shall:

- Act in a courteous and professional manner;
- Not use threatening, intimidating or misleading behaviour;
- Not follow members of the public;
- Not obstruct access to premises, footpaths or highways;
- Not persist in seeking donations after a refusal has been indicated.
- No collection shall be conducted in a manner likely to cause nuisance, annoyance or inconvenience.

8. Positioning of Collectors

Unless otherwise authorised by the Licensing Authority:

- Collectors shall remain substantially stationary whilst collecting;
- No collector, or pair of collectors, shall be positioned within 25 metres of another collector.

The Licensing Authority may waive this requirement for processions, organised events or other special circumstances.

9. Young Persons

No person under the age of sixteen years shall act as a collector.

10. Collecting Boxes

Where collecting boxes are used:

- Each collecting box shall be uniquely numbered;

- Each collecting box shall clearly display the name of the benefiting charity or fund;
- Each collecting box shall be securely sealed to prevent unauthorised access;
- Donations received in cash shall be placed into the collecting box as soon as reasonably practicable;
- Collectors shall return collecting boxes unopened to the promoter or other authorised person.

Nothing in this Regulation prevents the use of authorised contactless or electronic donation systems where approved as part of the collection permit.

11. Opening and Counting Collections

Collecting boxes shall be opened:

- In the presence of the promoter and at least one other responsible person; or
- By an authorised bank official where boxes are delivered sealed to a banking institution.

A record shall be maintained showing:

- The identification number of each collecting box; and
- The amount contained within it.

The record shall be certified by the person responsible for counting the proceeds.

12. Remuneration

No payment shall be made from the proceeds of a collection to a collector.

No payment shall be made from collection proceeds to any person connected with the promotion or conduct of a collection except where:

Such payment is lawful; and

The arrangement has been disclosed to and approved by the Licensing Authority where required.

Any remuneration arrangements must comply with relevant charity legislation and fundraising regulations.

13. Financial Returns

The permit holder shall submit a financial return to the Licensing Authority within one month of the collection.

The Licensing Authority may require:

- A statement of proceeds collected;
- Details of expenditure incurred;
- Evidence of payment to the benefiting charity;

A list of collectors;

- Such further information as may reasonably be required.
- Failure to provide a return may be taken into account when considering future applications.

14. Exemptions

These Regulations shall not apply:

a) To a collection taken at a meeting held in the open air; or

b) To the sale of articles conducted in the ordinary course of trade.

15. Offences

Any person who acts in contravention of these Regulations may be liable to prosecution and any penalty prescribed by the Police, Factories etc. (Miscellaneous Provisions) Act 1916 or other applicable legislation.

16. General

The Licensing Authority may impose additional reasonable conditions on a permit where considered necessary for:

- Public safety;
- The prevention of nuisance;
- The protection of the public;
- The avoidance of collection fatigue; or
- The proper administration of charitable collections.

Appendix B - House to House Collections Requirements

1. Introduction

House to House Collections are regulated by the House to House Collections Act 1939 and the House to House Collections Regulations 1947 (as amended). Any person or organisation intending to undertake a house to house collection for charitable purposes must comply with the requirements of the legislation and any conditions attached to a licence.

For the purposes of this Appendix, a house to house collection includes appeals for money, clothing, household goods or other property made through visits to residential or business premises.

2. Requirement for a Licence

No house to house collection shall take place unless:

- The promoter holds a House to House Collection Licence issued by the Licensing Authority; or
- The collection is covered by a valid National Exemption Order; or
- The collection is covered by any other exemption provided by law.
- Licences shall not normally be issued for periods exceeding twelve months.

3. National Exemption Orders

Certain charities may hold a National Exemption Order granted by the Secretary of State, allowing collections to take place across specified areas without obtaining individual licences from local authorities.

Where exemption is claimed, the Licensing Authority may require evidence of the exemption before the collection takes place.

Organisations operating under a National Exemption Order are expected to comply with fundraising legislation, recognised fundraising standards and all other applicable legal requirements.

4. Duties of Promoters

The promoter of a collection shall:

Exercise due diligence to ensure that collectors are fit and proper persons;

Ensure collectors comply with legal requirements;

Maintain adequate supervision of collection activities;

Ensure that collectors are properly authorised;

Keep appropriate records relating to the collection and its proceeds.

5. Authorisation of Collectors

No person shall act as a collector unless authorised by the promoter.

Collectors shall be issued with:

- A Certificate of Authority;
- An official collector's badge where required;

Any collecting box, receipt book or fundraising materials necessary for the collection.

Collectors shall produce evidence of their authority when requested by members of the public, authorised officers or police officers.

6. Conduct of Collectors

Collectors shall:

- Act politely and professionally at all times;
- Respect the wishes of householders;
- Leave immediately when requested to do so;
- Avoid aggressive or misleading fundraising techniques;
- Not apply undue pressure on potential donors;
- Comply with any displayed "No Cold Calling" or similar notices where applicable.
- No collector shall importune any person to the annoyance of that person.

7. Young Persons

No person under the age of sixteen years shall act as a collector of money or be authorised to do so.

8. Collecting Boxes and Receipts

Where money is collected:

- Collectors shall use authorised collecting boxes or receipt books;
- Collection materials shall clearly identify the charitable purpose;
- Collection materials shall be appropriately numbered or otherwise identifiable;
- Records shall be maintained to support financial accountability.
- Electronic or cashless donation methods may be used where lawful and appropriately authorised.

9. Financial Accountability

The promoter shall maintain accurate records of:

- Gross proceeds collected;
- Expenditure incurred;
- Amounts applied to charitable purposes;
- Transfers made to benefiting charities.
- Financial returns shall be submitted in accordance with Part 13 of this Policy and any statutory requirements.

Where requested, supporting evidence may be required including:

- Bank statements;
- Paying-in slips;
- Charity acknowledgements;
- Independently verified statements; or
- Other documentary evidence.

10. Grounds for Refusal or Revocation

The Licensing Authority may refuse or revoke a House to House Collection Licence where permitted by legislation, including where:

- The proportion likely to be applied to charitable purposes is inadequate;
- Excessive remuneration is retained from collection proceeds;
- Fraud, dishonesty or public protection concerns arise;

The applicant is not a fit and proper person;

- Collectors are not adequately supervised;
- Required information has not been provided;
- False or misleading information has been supplied;
- Previous collection returns have not been submitted.

The Council will normally expect that a significant proportion of the proceeds of any collection are applied to the charitable purposes for which the collection is promoted. As a general guide, the Council will normally expect at least 80% of the proceeds to be applied to charitable purposes in the case of national charities and at least 60% in the case of locally based charities.

Where an application, financial projection, or return indicates that a lower proportion will be applied to charitable purposes, the Council may undertake further enquiries and take this into account when determining whether to grant, renew, or continue to authorise a collection. A lower percentage will not automatically result in refusal. Each case will be considered on its individual merits, taking account of all relevant circumstances, including the scale of the charity's activities, reasonable fundraising costs, the nature of the collection, and any exceptional circumstances demonstrated by the applicant.

In the case of locally based charities, the Council recognises that fundraising arrangements, resources, and operating costs may differ from those of larger national organisations. Where justified by the circumstances of the charity and the proposed collection, an alternative minimum percentage may be agreed by the Shared Service Licensing Team Leader. Any such agreement will be considered on a case-by-case basis and will take account of the charity's overall charitable objectives, anticipated fundraising costs, financial sustainability, and the extent to which the collection will benefit the local community.

Applicants seeking approval for an alternative percentage will be required to provide sufficient supporting information to enable the Council to assess the request. The Council reserves the right to refuse such requests where it is not satisfied that the proposed arrangements are reasonable, proportionate, and consistent with the public interest.

The applicant may also be required to provide evidence of anticipated or actual expenditure and an explanation of why the proposed or achieved proportion applied to charitable purposes falls below the Council's usual expectations.

11. Appeals

Where a House to House Collection Licence is refused or revoked, applicants shall be advised of any statutory rights of appeal available under the relevant legislation.

12. Definitions

Charitable Purpose means any charitable, benevolent or philanthropic purpose recognised by law.

Collection means an appeal to the public made by means of visits from house to house for money or other property.

Collector means a person who makes such an appeal.

House includes residential and business premises.

Promoter means a person or organisation causing others to act as collectors.

Proceeds means all money and property received as a result of a collection.

Appendix C - Direct Debit and Cashless Fundraising Code of Conduct

1. Introduction

This Code of Conduct applies to charitable fundraising activities involving direct debit mandates, recurring donations, contactless donations, electronic payments and similar cashless fundraising methods conducted within the administrative areas of Basingstoke and Deane Borough Council and Hart District Council. The Code should be read in conjunction with Part 9 of this Policy.

All fundraisers are expected to comply with applicable legislation, the Code of Fundraising Practice, data protection legislation and any conditions imposed by the Licensing Authority.

2. Applications

Applications for direct debit or cashless fundraising activities shall normally be submitted at least twenty-eight days before the proposed collection date.

Applicants shall provide:

- The name of the charity;
- Charity registration number where applicable;
- Details of the fundraising organisation and any commercial participator;
- Proposed dates and locations;
- Details of the fundraising method;
- Copies of solicitation statements upon request; and
- Any additional information reasonably required by the Licensing Authority.

The Licensing Authority reserves the right to refuse applications where there are concerns regarding compliance, public safety, previous conduct or any other relevant matter.

3. Allocation of Collection Dates

Applications will normally be considered on a first come, first served basis whilst ensuring fair access to collection opportunities for a range of charitable organisations.

In determining applications, regard may be had to:

- Existing bookings;
- Previous fundraising activity in the area;
- The need to avoid collection fatigue;
- Public safety considerations; and
- The interests of residents, businesses and visitors.

The Council may restrict the number of direct debit or cashless fundraising activities taking place at any one time or location where considered necessary in the public interest.

4. Number of Collectors

Unless otherwise authorised by the Licensing Authority:

- A maximum of four collectors may operate under any one permission;
- No more than two collectors shall operate within the same street or immediate location at the same time.

The Licensing Authority may vary these numbers where appropriate having regard to the location, nature of the event and public safety considerations.

5. Identification and Authorisation

Collectors shall:

- Wear photographic identification at all times whilst fundraising;
- Be able to produce evidence of their authority upon request;
- Clearly identify the benefiting charity where asked; and
- Explain the nature of the fundraising activity in a clear and transparent manner.

Members of the public shall be entitled to request evidence of authorisation during the course of fundraising activities.

6. Standards of Behaviour

Collectors shall:

- Conduct themselves in a professional, courteous and respectful manner;
- Respect a person's decision not to engage;
- Avoid harassment, intimidation, undue pressure or misleading conduct;
- Not obstruct footways, entrances or public access routes;
- Not follow members of the public after a refusal has been indicated;
- Not make false or exaggerated claims regarding charitable activities or fundraising outcomes.
- Fundraising activities shall be conducted in a manner that protects public confidence in charitable giving.

7. Young Persons

No promoter, collector or person otherwise connected with the fundraising activity shall permit a person under the age of sixteen years to act as a collector.

8. Solicitation Statements

Collectors shall provide solicitation statements where required by charity legislation.

Any statement provided shall clearly explain:

- The identity of the charity;
- The role of any commercial participator or professional fundraiser;
- The nature of the donation commitment;

Any information required by law concerning remuneration arrangements.

9. Data Protection and Security

Personal information obtained during fundraising activities shall be collected, processed and stored in accordance with applicable data protection legislation.

Fundraisers shall:

- Maintain appropriate security measures;
- Protect donor information from unauthorised access;
- Process personal information fairly and lawfully; and
- Ensure payment information is handled securely.

10. Complaints

Fundraising organisations shall maintain procedures for recording, investigating and responding to complaints.

A full and accurate record of any complaint received during a collection shall be maintained and made available to the Licensing Authority upon request.

Repeated complaints, substantiated misconduct or failure to comply with this Code may be taken into account when determining future applications.

11. Non-Compliance

Failure to comply with this Code of Conduct may result in:

- Refusal of future applications;
- Imposition of additional conditions;
- Referral to relevant regulatory bodies; or
- Any other action considered appropriate by the Licensing Authority.