

House to House Collections Policy

Introduction

House to House collections are governed by the House to House Collections Act 1939 and the House to House Collections Regulations 1947, as amended

As a general rule, house to house collections for charitable, benevolent or philanthropic purposes, whether or not the purpose is charitable within the meaning of the rule of law are required to be licensed by the authority.

The definition of 'collection' extends beyond requests for money, to include the sale of magazines, requests for unwanted clothing and household items, visits to persuade persons to buy goods etc, where any part of the proceeds may go to charity.

The only exception to the general rule is organisations that have been granted an Exemption Certificate by the Home Office under the provisions of the House to House Collections Act 1939. This Certificate allows an organisation to collect in the District without applying for a licence. The organisation must inform the authority of the dates and areas of any planned collections.

Aims

The aims of the licensing authority are to:

- Safeguard the interests of both public donors and beneficiaries;
- Facilitate well organised collections by bona fide charitable institutions and to ensure that good standards are met, and;
- Prevent unlicensed collections from taking place.

Objectives

In order to achieve its aims, the licensing authority has identified the major issues and sought to tackle them through this policy with the intention of:

- Ensuring impartiality and fairness in determining applications;
- Accommodating all eligible requests, subject to capacity, and bearing in mind that certain days and locations are especially sought after;
- Providing equality of opportunity for would-be collectors;
- Avoiding causing undue nuisance to the public;
- Setting fair maximum limits for one applicant;
- Achieving a fair balance between local and national causes;

The licensing authority recommends that all organisations adhere to the Institute of Fundraising's Code of Fundraising Practice. A copy of this code of practice can be found at www.institute-of-fundraising.org.uk

General Principles

Charities must be registered with the Charity Commission, or be a charitable organisation based in/around Blackpool.

Wherever possible, two organisations shall not be permitted to collect in the same area on the same day. Applications will be dealt with on a first come first served basis.

In general, organisations shall not be permitted to hold more than two collections throughout the District or part thereof during one calendar year.

To avoid the prospect of multiple collections being made in any one day, the Council will not grant licences for a period of twelve months. To give sufficient time to undertake a collection, it will be the policy of the Council not to grant licences for periods in excess of 14 days unless the Public Protection Sub-Committee are satisfied that exceptional circumstances exist.

Applications will only be accepted for charitable collections to be held in the current or next calendar year.

Whilst each application will be decided on merit, at least 85% of the total proceeds of the collection must be given to the charity or cause. No more than 15% of the total proceeds can be deducted by the organisation for expenses/costs relating to the collection.

The applicant must forward a financial return form to the authority within one month of the date of collection showing details of the monies collected. No licence will be issued to any applicant that has failed to forward the financial return form in respect of previous collections.

Applications

In order for the necessary checks to be carried out and to leave time for prescribed badges and certificates to be ordered and received from The Stationery Office (TSO), it is advised that applications are submitted a minimum of three months before the proposed date of collection.

Any application received less than 28 days before the proposed first date of collection will be declined. This requirement may be waived in exceptional circumstances by the Licensing Officer.

The following information must be submitted with the application:

- Literature about the organisation;
- Copy of the published accounts for the last two years;
- If you are not an official of the organisation, a letter from the charitable organisation authorising you to undertake a collection on their behalf,
- Any agreement or contract details with the registered charity or individual benefiting from the collection.

Applications requesting longer than 14 days will not be accepted.

Applications will be considered on receipt. In the event that further information is requested from the applicant to assist in the determining of the application, this must be provided in a timely fashion. Failure to do so will result in a delay to consideration, or refusal of the application.

Applications which in the opinion of the licensing officer should be refused will be referred to the next available meeting of the Public Protection Sub-Committee for consideration. The applicant will be notified in advance of the date and time of the meeting.

The authority can refuse or revoke a licence for a number of reasons:

- If too high a proportion of the proceeds are to be spent on expenses;
- If not enough of the proceeds are to be given to the charity or cause;
- If incorrect information was provided on the application form
- If the promoter or any other person involved in the collection has been convicted of certain criminal offences, i.e. burglary, blackmail or fraud.
- If the grant of the licence would be likely to facilitate the commission of an offence under section 3 Vagrancy Act 1824
- If the applicant or holder of the licence has failed to exercise due diligence to ensure that the collectors are fit and proper, to ensure compliance with the provisions of the House to House regulations or to prevent prescribed badges or certificates of authority being obtained other than by authorised persons.

There is a right of appeal to the Secretary of State against the refusal or revocation of a licence within 14 days from the date on which the notice is given of the refusal or revocation.

Conduct during collections

The House to House Collection Regulations 1947 as amended requires that “no collector shall importune any person to the annoyance of such person, or remain in, or at the door of, any house if requested to leave by any occupant thereof.”

Blackpool Borough is a No Cold Caller Zone. Residents who have made a positive decision that they do not want to be subject to unsolicited visits will display a no cold calling sticker in the door/window. Collectors must not call at these properties, if they do it will be considered a breach of the regulations.

Where the authority:

- receives negative feedback in respect of collections taking place at unsociable hours or with regard to undue pressure/misrepresentation by agents, and/or
- receives complaints about calls to properties displaying a no cold calling sticker

Consideration will be given to revoking the registration or the refusal of future applications.