



FUNDRAISING
REGULATOR

Code of Fundraising Practice

Effective 1 November 2025



About the Fundraising Regulator

We are the independent regulator of all fundraising carried out by or on behalf of charitable, philanthropic and benevolent organisations in England, Wales and Northern Ireland. We also regulate fundraising in Scotland carried out by charities registered in England, Wales and Northern Ireland. Our role includes maintaining and developing the UK-wide Code of Fundraising Practice (the code) and investigating complaints from members of the public about fundraising practice if these cannot be resolved by the charities themselves.

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Using the code

In July 2016, we (the Fundraising Regulator) became responsible for regulating fundraising in the UK and took over responsibility for the Code of Fundraising Practice (the code) from the Chartered Institute of Fundraising. Since then we have updated the code several times – following consultation ahead of the introduction of the General Data Protection Regulation (GDPR) in May 2018 and then again before the version published on 1 October 2019 (the 2019 code).



The code applies to fundraising activity for charitable, philanthropic or benevolent purposes in the UK. It aims to:

- promote consistent, high standards of fundraising;
- explain what we expect from charitable institutions, their governing bodies and fundraisers;
- explain what we will consider when investigating complaints;
- provide information for charitable institutions to help them assess their fundraising activity and deal with any issues they identify; and
- develop a culture of honesty, openness and respect between fundraisers and the public.

The code does not cover:

- fundraising for a personal cause (for example, someone raising money to pay for their pet's operation); or
- financial and business practices of charitable institutions, which are generally dealt with by statutory bodies.

Through the code, we aim to make sure that fundraising activity meets the following values.



Legal: Fundraising must meet the requirements of the law.



Open: Fundraisers must be clear about their processes and willing to explain them when necessary.



Honest: Fundraisers must act with integrity and must not mislead people when asking for donations.



Respectful: Fundraisers must respect the people and places they interact with.

The code, the law and other codes of practice and standards

The code is not legally binding. It outlines what we expect of fundraisers carrying out fundraising activities that are covered by the code. We have included brief information and links to specific legislation which is relevant to our rules. However, it is not possible to include links to every piece of legislation which could

be relevant across all fundraising practices, and which apply more generally to charitable institutions.

The code also includes links to other industry codes of practice and standards that apply to fundraising. The code is intended to add to these standards, not replace them.

You should not use the code as your only source of information on how to keep your fundraising legal. You should get appropriate professional advice to make sure your fundraising activity does not break the law.

What the code covers

The code applies to fundraising activity for charitable, philanthropic or benevolent purposes in the UK. Fundraising activity in the UK by organisations who are not registered with the Fundraising Regulator is still covered by the code. We will consider complaints about fundraising activity whether fundraisers are registered with us or not.

Although the code applies to fundraising activity in Scotland, complaints about Scottish-registered charities operating in Scotland are dealt with by the **Scottish Fundraising Adjudication Panel (the ‘panel’)**.

Applying the code

Most rules in the code start with ‘You must’ or similar wording, but certain rules only apply in certain circumstances or to certain organisations or people. Each section of the code starts with the following wording: ‘In this section, ‘you’ means...’ This will help you understand whether the rule is relevant to you and your activity.

Organisations and people who **certain rules in the code might apply to** include the following.

- **Charitable institutions** and their staff, including:
 - registered charities;
 - community interest companies (CICs);
 - social enterprises; and
 - exempt charities (such as universities in England).
- **Professional fundraisers**.
- **Commercial participators**.
- **Fundraising platforms**.
- **Volunteers**.
- Third-party suppliers and agencies.

Principles-based rules

The code has been significantly revised from the 2019 version. It no longer contains rules linked to specific legislation and many rules have been combined under wider principles.

This new approach has several advantages.

- **Less prescriptive:** It removes the need to list every practice that is allowed or not allowed.
- **More flexible:** It allows rules to be applied in a wider range of contexts, so each specific fundraising approach does not need its own set of rules.
- **Proportionate:** It allows fundraisers to consider appropriate action to take based on the size and nature of their fundraising activities.
- **Future-proof:** It allows fundraisers to apply the principles to a range of contexts without having to wait for specific advice about new approaches.

There are significantly fewer rules in the 2025 code, which makes it easier to follow. The rules often include terms which fundraisers will need to interpret, such as ‘appropriate’, ‘reasonable’ and ‘proportionate’. As a result, the code does not need to list all practices that are always required and all practices that are never allowed. Instead, it encourages fundraisers to think about how their activity meets the principles.

For example, **rule 2.2.2** in the 2025 code states that:

You must carry out appropriate due diligence, proportionate to the size and nature of the donation, on the potential donor before accepting a donation.

‘Appropriate’ and ‘proportionate’ due diligence will vary depending on the size and nature of the donation in relation to the charitable institution’s normal fundraising activity. It is often ‘appropriate’ and ‘proportionate’ not to carry out formal due diligence checks on small cash donations. For larger donations from known sources, some checks will be necessary, but these may be relatively straightforward. Unexpected large donations, or those which come in unusual forms such as loans, foreign currency or cryptoassets (such as Bitcoin), will require more complex checks.

To help fundraisers decide what is appropriate and proportionate, many of the new rules are also accompanied by examples of acceptable and unacceptable practices (see below) and additional guidance, including **Code Support Guides (CSGs)**.

When we investigate complaints under the new rules, we will offer fundraisers a chance to explain how the steps they have taken are, for example, ‘appropriate’. We publish findings from our investigations to help other fundraisers understand our rules.

Lists of examples

Rules in the code are often accompanied by bullet-point lists outlining, for example:

- actions which are never allowed;
- actions which are always required; and
- ways to meet the principle of a rule.

These are not intended to be complete lists, but will help you understand some of the actions which would or would not meet the principle of the rule. If we investigate your fundraising, we may ask you to explain how you met the expectations listed, or how you used a different approach in order to meet the rule.

Explanatory text

As well as bullet-point lists, several rules are followed by text to help you understand:

- how a rule will be applied; and
- if there are any other important legal or regulatory requirements that apply.

As this information is separate from the rules, we may update it more flexibly than the rest of the code (see How the code is updated, below).

Links to laws and guidance

The code includes links to relevant legislation, guidance from regulators that has to be followed by law (statutory guidance) and wider advice which may be useful when fundraising.

Commitment to the code

All organisations registered with us and using the **Fundraising Badge** are committed to meeting the standards of the code. If these organisations fail to meet the standards of the code, we may take action, such as asking them to remove the Fundraising Badge from their documents and other fundraising materials.

What happens if a fundraiser breaks the code?

We may become aware that a fundraiser may have broken the code **when we receive a complaint** or through our monitoring of fundraising activity. If we decide to investigate a complaint about fundraising activity, we will give the charitable institution opportunities to explain their fundraising approach and how they believe this was in line with the code. If we find that their fundraising activity has broken the code, we will usually publish information about this on our website so the charity sector and the wider public can see the outcome of the investigation and apply any lessons that can be learnt from our decision.

Under rule 2.1.3 of the code, charitable institutions must work constructively with us and the panel. A charitable institution which fails to do this will have broken the code and we or the panel may take action against them as a result.

How the code is updated

We developed the new code **through extensive consultation with fundraisers and organisations in the charity sector**. We will carry out further consultation before making any significant changes to the rules in the code.

We can update supporting information, such as the explanatory text under the rules and links to legislation and guidance, with the approval of our **Standards Committee**. We will announce any changes to these parts of the code on our website.

Part 1: Standards which apply to all fundraising

The way charitable institutions and third-party fundraisers ask for support affects people's trust and confidence in fundraising. This part sets out the behaviour we expect from all fundraisers. It includes:

- treating people fairly and with respect;
- explaining your cause in a way which does not mislead people; and
- making sure your fundraising is responsible.



1. Behaviour when fundraising

1.1 General behaviour



In this section, 'you' means a charitable institution or third-party fundraiser.

1.1.1 Your fundraising must be legal, open, honest and respectful.

If you are found to have broken the law while fundraising, you will not have kept to rule 1.1.1 and we may take action against you.

1.1.2 You must take all reasonable steps to make sure your fundraising is carried out in a way that reflects positively on fundraising in general. This includes:

- not unreasonably intruding on a person's privacy;
- not putting undue pressure on a person to donate;
- not using unreasonably persistent approaches; and
- accepting a request to end an interaction.

1.1.3 You must not unfairly criticise or insult other people or organisations.

1.1.4 You must not encourage an existing or potential donor to cancel or change an existing donation in favour of a donation to another charitable institution.

This rule is not intended to cover situations where a charitable institution is changing structure (for example, merging) or is being wound up. In these situations, it may be appropriate for a charitable institution to encourage donors to transfer their donations to the new organisation.

Guidance on general behaviour

Fundraising Regulator:
Key behaviours expected of fundraisers

1.2 Informing donors and treating people fairly



In this section, 'you' means a charitable institution or third-party fundraiser.

1.2.1 Your fundraising must not mislead existing or potential donors. This includes by:

- leaving out information;
- giving inaccurate or unclear information; or
- exaggerating details.

For example, you must not claim a donation will be used for a restricted purpose (such as buying a piece of medical equipment or helping a particular child) if it may be used for another purpose.

1.2.2 When collecting donations for a restricted purpose you must provide information about what will happen if you raise more than or less than the target amount.



Secondary purposes

Charities often ask for donations for a specific purpose or with a target in mind, such as to fix a church roof or buy a piece of medical equipment. Sometimes these campaigns do not raise enough money to meet their target, and sometimes they raise more money than is needed. If this happens it may be necessary to refund some or all of the donations.

One way to deal with this is to include clear information about a secondary purpose when asking for donations. This can take the form of a brief explanation of how funds donated for the original purpose will be used if the target is not met, or if more than the target amount is raised.

Examples include using the funds for another similar purpose, or putting them towards the general work of the charitable institution.

Guidance on secondary purposes

Fundraising Regulator: **What to do if you raise more donations than you need, don't raise enough, or cannot achieve your purpose**

Charity Commission for England and Wales (CCEW): **Charity fundraising appeals for specific purposes**

**Sector advice on
treating donors fairly**

Chartered Institute of
Fundraising (CioF):
[Treating donors fairly](#)

- 1.2.3** You must have appropriate evidence before you make any claim in your fundraising which is likely to be taken literally. This includes direct claims and implied claims.

This rule applies to claims about the costs associated with your fundraising activity.

- 1.2.4** You must not take advantage of mistakes made by a donor.

- 1.2.5** You must explain that you are not offering financial advice when talking about any financial benefits to the donor of making a donation.

- 1.2.6** You must take all reasonable steps to treat existing or potential donors fairly, so that they can make an informed decision about any donation.



Legal requirements for treating people fairly

In England, Wales and Scotland, under the **Equality Act 2010**, you are legally required to make sure your fundraising does not discriminate against people with characteristics that are protected by the law.

In Northern Ireland, fundraising must meet equality law as it applies in Northern Ireland. You are legally required to make sure your fundraising does not discriminate against people with characteristics that are protected by the law. Each protected characteristic has its own specific piece of legislation, and anti-discrimination law is not grouped together in one specific act.

More information:

- **The Equality and Human Rights Commission**
- In Northern Ireland: **The Equality Commission for Northern Ireland**

Sector advice on safeguarding and fundraising

National Council for Voluntary Organisations (NCVO):

[People who need safeguarding while fundraising](#)

[Safeguarding for fundraising managers](#)

Guidance on data-protection

Fundraising Regulator: [The rights people have over their data](#)

Fundraising Regulator: [Legal requirements for storing, maintaining and sharing data](#)

2. Responsibilities of those who govern charitable institutions

The people who govern charitable institutions (such as the trustees of a charity) have a responsibility to act in the best interests of their organisation. They are responsible for fundraising. This section sets out the standards we expect from them, including those relating to risk assessments and effective procedures for handling complaints and for making sure donations are used for the purposes they are given for.

2.1 General duties



In this section, 'you' means the governing body of a charitable institution.

2.1.1 You must act reasonably and carefully in all matters relating to fundraising. This may include:

- taking overall responsibility for fundraising activities, including those you have delegated to others;
- following codes and guidance from relevant regulators;
- making sure your fundraising activities keep to data-protection requirements;
- getting appropriate advice when needed;
- considering the effect of controversial fundraising campaigns;
- assessing and managing risks that fundraising poses to your charitable institution's activities, beneficiaries, property, work and reputation; and
- meeting any reporting and accounting requirements that apply to a donation.

2.1.2 You must take reasonable steps to protect fundraisers from harm and harassment while fundraising. This includes:

- having processes for fundraisers to report any issues that arise; and
- taking reasonable steps to deal with any issues that are reported.

Guidance on engaging with the Fundraising Regulator

2.1.3 You must respond constructively and within an appropriate time to any enquiries you receive from us or the Scottish Fundraising Adjudication Panel relating to keeping to the code. You must also make sure your fundraising partners do the same.

2.1.4 You must be able to show that you have acted in the best interests of your charitable institution when fundraising. This includes:

- identifying and dealing with potential conflicts of interest;
- making sure donations are used for the purposes they are given for; and
- making it clear to people fundraising on your behalf that all donations must be sent to your charitable institution.

2.1.5 You must not sell personal data to, or share it with, any other organisation unless you have the information owner's consent to do so.

If you share personal data for fundraising or direct-marketing purposes, the Information Commissioner's Office (ICO) expects you to tell the person concerned the name of any third party you are sharing their personal data with.

2.1.6 If you rely on legitimate interest as the lawful basis for processing personal data, you must record details of your decision-making in line with the ICO's requirements.

2.2 Accepting, refusing and returning donations



In this section, 'you' means the governing body of a charitable institution.

2.2.1 You must only refuse or return donations in exceptional circumstances. If you decide to refuse or return a donation you must document your decision appropriately.

You must make sure those fundraising on your behalf are aware that decisions relating to refusing or returning a donation must be made by you or in line with a policy you have set.

Guidance on governance and documenting decisions

Fundraising Regulator:

General legal requirements of governing bodies

Documenting your fundraising decisions

Sector advice on refunding a donation

Chartered Institute of Fundraising (CioF): Acceptance, refusal and return: A practical guide to dealing with donations

Guidance on accepting and refusing donations

Charity Commission for England and Wales (CCEW): Accepting, refusing and returning donations to your charity

Fundraising Regulator: Due diligence and fundraising

2.2.2 You must carry out appropriate due diligence, proportionate to the size and nature of the donation, on the potential donor before accepting a donation.

2.2.3 You must only refund a donation in line with your charitable institution's policies or in exceptional circumstances. However, you must refund a donation if a donor correctly exercises their right to a refund.

Before you refund a donation, you must make sure you have the power to do this. If it is unclear whether or not you should refund a donation, consider getting legal advice.

2.3 Complaints and concerns about fundraising



In this section, 'you' means the governing body of a charitable institution.

2.3.1 You must have a clear and publicly available fundraising complaints procedure which fundraisers can explain to existing or potential donors.

If your fundraising partners do not have a suitable clear and publicly available complaints procedure of their own, they must agree to follow yours.

2.3.2 When you or a fundraising partner receives complaints about your fundraising, you must:

- investigate thoroughly and fairly;
- respond fairly and in a way that is appropriate to the complaint;
- avoid unnecessary delays; and
- regularly review complaints and use any relevant learning to make improvements to future fundraising.

- 2.3.3** You must have a clear, published procedure explaining how staff and volunteers can report any concerns they have about your fundraising practice. You must make sure the procedure includes:
- the type of issues that can be raised and the process for doing so;
 - how the person raising a concern will be protected from victimisation and harassment;
 - what you will do when you receive a concern; and
 - how to report concerns to us or the Scottish Fundraising Adjudication Panel if it is not possible to consider or deal with them appropriately within your charitable institution.

2.4 Paying fundraisers



In this section, 'you' means the governing body of a charitable institution.

- 2.4.1** You must give appropriate consideration to the approach you choose for paying fundraisers and whether this fits the values of your charitable institution.



Legal requirements for paying fundraisers

You are legally required to make sure that any fundraisers who are directly employed by your charitable institution are paid in line with relevant legislation, including the following.

- The Employment Rights Act 1996 (as amended)
- The National Minimum Wage Act 1998 (as amended)
- The Employment Rights (Northern Ireland) Order 1996

You can only pay charity trustees for fundraising if they meet specific conditions as set out in the following documents and legislation:

Guidance on complaints

Fundraising Regulator:
Complaints handling guidance



- Charity Commission for England and Wales: Payments to charity trustees: what the rules are and section 185 of the Charities Act 2011
- Scottish Charity Regulator (OSCR): Guidance and good practice for charity trustees and section 67 of the Charities and Trustee Investment (Scotland) Act 2005
- Charity Commission for Northern Ireland: Making payments to trustees and section 88 of the Charities Act (Northern Ireland) 2008

2.5 Solicitation statements for paid employees, officers and trustees of charitable institutions and connected companies



In this section, 'you' means the paid employees, officers and trustees of a charitable institution or connected company.

Solicitation statements are statements that some paid employees, officers and trustees of charitable institutions and connected companies must give when fundraising for a charitable institution. They explain how the charitable institution will benefit from the fundraising activity.

Professional fundraisers and commercial participators must also give solicitation statements. There is more information about these solicitation statements in section 6.4 Solicitation statements for professional fundraisers and commercial participators.

2.5.1 You must make sure solicitation statements are clear, accurate and up to date.

2.5.2 You must make a solicitation statement before:

- a potential donor gives any money; or
- you ask for any financial details relating to a donation.



Legal requirements for solicitation statements by paid employees, officers and trustees of charitable institutions and connected companies

In England and Wales: Under sections **60A** and **60B** of the Charities Act 1992 a person who is an officer or employee of a charitable institution or a connected company or a trustee of a charitable institution is legally required to give a solicitation statement if they are acting as a collector in that role and are receiving payment of more than £10 per day or £1,000 per year either for their role or for acting as a collector.

In Scotland: Officers, employees or trustees of charitable institutions or connected companies are benevolent fundraisers for the purposes of the **Charities and Benevolent Fundraising (Scotland) Regulations 2009** when fundraising on behalf of charitable institutions and connected companies and will need to keep to those regulations, including **regulation 3** on solicitation statements.

More information:

- **In England and Wales:** Cabinet Office: chapter 4 and Annex C of **Guidance on Part 2 of the Charities Act 1992**
- **In Scotland:** OSCR: statement A of **Technical Guide: Charities and Benevolent Fundraising (Scotland) Regulations 2009**

2.6 Using funds



In this section, 'you' means the governing body of a charitable institution.

2.6.1 You must make sure any conditions on accepting a donation, set by you or the donor, are within the purposes of your charitable institution.

2.6.2 You must keep a record of donations that are given for specific purposes to make sure that you keep to the conditions of the donation.



Offering benefits with a donation

Some organisations provide benefits in return for a donation. These can range from very small (for example, a newsletter or a branded pen) to more significant (such as access to exclusive events).

Providing benefits in return for a donation can have tax consequences. In particular, the level of benefit received can affect whether a donation is eligible for Gift Aid. In some circumstances where benefits are received, a donation may be considered a payment for goods or services, which may mean that VAT is charged.

2.6.3 If you encourage someone to donate by offering benefits, you must make sure:

- you have the power to give benefits;
- the benefits are appropriate in the circumstances; and
- the benefits are proportionate to the size and frequency of the donation.



Legal requirements for using funds

The legal obligations you have as a governing body vary depending on where and how your charitable institution is registered. In general, you are legally required to:

- only ask for funds for a purpose that matches those of your charitable institution;
- make sure funds raised for a particular cause are used for that cause; and
- use funds in line with any conditions you have agreed to or which have been set by the donor.

A donation must be used for the purpose it was given for. If you want to change that purpose you should get advice from legal advisers or the relevant statutory regulator before changing the purpose, even if the person making the donation has given you permission to do this.

Guidance on offering benefits with a donation

HM Revenue & Customs (HMRC):

Chapter 3.18 Benefits received by donors and connected persons

How VAT affects charities (VAT Notice 701/1)

Goods or services supplied to charities (VAT Notice 701/58)

Charity Tax Group:
Gift Aid donor benefits



The main legislation for registered charities is as follows.

- In England and Wales: **Charities Act 2011**
- In Scotland: **Charities and Trustees Investment (Scotland) Act 2005**
- In Northern Ireland: **Charities Act (Northern Ireland) 2008**

Community interest companies (CICs) are covered by the **Companies Act 2006**.

3. Processing donations

This section includes standards that relate to handling different types of payment (including one-off payments and ongoing donation commitments) to make sure donations are kept safe. It also includes information on Gift Aid.

3.1 Cash



In this section, 'you' means a charitable institution or third-party fundraiser.

3.1.1 You must have procedures for counting, recording and banking donations without delay. The procedures must outline who does what, and when and how this will be monitored. The procedures must make sure that:

- unsecured cash is not left unattended;
- cash is banked as soon as possible;
- cash is kept in a safe or other secure place until it is banked;
- cash is counted and recorded in a secure place by two unrelated people, if possible; and
- cash you have banked matches your income summaries (if possible, this should be checked by someone who was not involved in counting or cashing up the money).

Professional fundraisers and commercial participators (and people fundraising for them) are legally forbidden from taking any money from the cash they receive.

3.1.2 You must make sure cash donations are accounted for appropriately. This includes:

- making sure third-party fundraisers do not take any expenses or fees from donated cash, unless these were agreed before the fundraising activity.



Gift Aid

Gift Aid allows registered charities to reclaim tax on donations made by UK taxpayers. This effectively increases the amount of the donation.

HM Revenue & Customs (HMRC) is the lead statutory body for all matters relating to tax, including Gift Aid.

If you want to claim Gift Aid, you must:

- only claim Gift Aid or claim tax relief under the **Gift Aid Small Donations Scheme** if all the conditions are met and you are eligible to claim it; and
- keep up to date with guidance from HMRC on how the tax system works, including its guidance on **Claiming Gift Aid, Benefits received by donors and connected persons** and the **Gift Aid Small Donations Scheme**.

Cash collecting boxes

- 3.1.3** You must make sure the charitable institution is sent the full amount from all sealed collection boxes without any expenses or fees being taken, unless it has been agreed beforehand that these can be taken.

In Scotland, fundraisers can deduct their fees and expenses from collecting boxes before paying the remaining amount to the charitable institution, in line with **regulation 11(3)(d) of The Public Charitable Collections (Scotland) Regulations 1984**.

- 3.1.4** You must make sure that all sealed collection boxes are labelled, numbered and sealed.

Receipts

- 3.1.5** You must provide a digital or handwritten signed receipt for cash collection donations which were not made using a sealed collection box.
- 3.1.6** You must give fundraisers a receipt when they return sealed collection boxes.

3.1.7 You must give a receipt to the person who owns or manages a private site you are collecting on if they ask for one. The receipt should include:

- the address of the site;
- the box number;
- the date of the collection; and
- the amount received.



Model regulations for cash collecting boxes

In Scotland, Northern Ireland or a licensing authority which follows the model regulations in **England and Wales**, by law, all collecting boxes are legally required to be labelled, numbered and sealed.



Legal requirements for cash collecting boxes

In England and Wales, each licensing authority can set its own regulations for how cash collecting boxes should be used in street collections.

Many licensing authorities have adopted the model regulations provided by The Charitable Collections (Transitional Provisions) Order 1974.

In London, street collections are governed by The Street Collections (Metropolitan Police District) Regulations 1979 and the City of London Street Collections Regulations 1980. If you use cash collecting boxes as part of street collections in London or in a licensing authority which has adopted the model regulations, you are legally required to make sure:

- cash donations are put in a sealed container or collecting box; and
- the promoter of the collection and one other responsible person or a bank official are present when you open collection boxes.

In England and Wales, if you use cash collecting boxes as part of house-to-house collections you are legally required to keep to the House to House Collections Regulations 1947.



In Scotland, processes for cashing and banking donations from collections licensed by the local council and carried out using collecting boxes or sealed envelopes, are covered by the **Public Charitable Collections (Scotland) Regulations 1984**. Under these regulations, you are legally required to:

- only accept cash donations by allowing the donor to put them straight into the collection box when carrying out collections licensed by the local council; or
- if the collection is made using sealed envelopes, only accept donations in the appropriate sealed and numbered envelopes.

In Northern Ireland there is no specific legislation for collecting boxes. However, **The Police, Factories, etc. Act 1916** (as far as it applies) and **The Collections in Street Regulations (Northern Ireland) 1927** outline regulations for street collections.

For further standards on cash collection boxes, see **section 7.5 Convenience giving and unstaffed collections**.

3.2 Tills



In this section, 'you' means a charitable institution or third-party fundraiser.

3.2.1 You must make sure that all money is put into the till immediately and any change is given from the till, not from personal money.

3.3 Floats



In this section, 'you' means a charitable institution or third-party fundraiser.

3.3.1 When using floats, you must make sure:

- they are signed for by the person you have nominated;
- float cash is kept separate from the personal money of the people handling it; and
- a separate record is kept of any float money that is used for petty cash.

3.4 Cheques, charity cheques and vouchers



In this section, 'you' means a charitable institution or third-party fundraiser.

3.4.1 You must make sure cheques, charity cheques and vouchers are processed appropriately and without delay. This includes:

- using secure methods, appropriate to the value of the donation, to send them to banks or fulfilment houses;
- not giving change in return for cheques; and
- not issuing refunds for a cheque donation until the cheque has cleared and the money has appeared in your account.



Legal requirements for charity cheques and vouchers

Under the [Income Tax Act 2007](#), you are legally forbidden from claiming tax back on a charity cheque or voucher donation, as Gift Aid was added before you received it.

3.5 Card and online transactions



In this section, 'you' means a charitable institution or third-party fundraiser.

This section applies to transactions both where the donor is present and where they are not. This includes staffed and unstaffed payment devices, such as tap-to-donate, and online payments on a charitable institution's website. The steps you need to take to make sure payments are secure will vary depending on the number of transactions that are made.

3.5.1 You must use appropriate security measures for online and card transactions.

Guidance on security measures

[The Payment Card Industry Data Security Standards \(PCI-DSS\)](#)

[The Direct Debit Scheme Rules](#)

Part 2: Standards which apply to working with others

The standards in this part will be relevant where an organisation works with others to carry out fundraising. This includes relationships between charitable institutions and:

- volunteers;
- people in vulnerable circumstances; and
- fundraising partners.

This part also contains specific standards that apply when working with children.



4. Volunteers

This section contains standards on working with volunteer fundraisers where their activity is known to your organisation. The code distinguishes between 'in-aid-of' and 'on-behalf-of' volunteers. For more information about the different kinds of volunteer fundraising arrangements, please see our **guidance** on volunteers.

Some in-aid-of volunteers may fall within the definition of a commercial participator, in which case **section 6 Fundraising partnerships** will also apply to these volunteers.



Preventing unauthorised fundraising

The **Charities Act 1992** and **Charities and Trustee Investment (Scotland) Act 2005** give charitable institutions the right to apply for a court order to prevent unauthorised fundraising if:

- any person is using fundraising methods that the charitable institution objects to;
- the charitable institution believes that a person is not a fit and proper person to fundraise on their behalf; or
- the charitable institution does not want to be associated with a particular promotion.

Sector advice on volunteer expenses

National Council
of Voluntary
Organisations (NCVO):
[Paying volunteer
expenses](#)

In Northern Ireland:
Volunteer Now:
[Guidelines for
providing volunteers'
out of pocket expenses
and claim form](#)

4.1 Standards that apply to all volunteers



In this section, 'you' means a charitable institution.

4.1.1 You must provide in-aid-of and on-behalf-of volunteers with training and support that is appropriate to the relationship they have with you.

The training for on-behalf-of volunteers should include:

- how to fundraise legally and safely;
- handling and processing donations;
- what should and should not be included in fundraising materials; and
- the behaviour expected of volunteers and where they can access support and guidance.

If you become aware of an in-aid-of volunteer's fundraising activity beforehand, you must take all reasonable steps to make sure they:

- use the expression 'in aid of' when describing the fundraising they are doing for your charitable institution, to distinguish their fundraising from yours;
- know they are responsible for organising all aspects of their fundraising and you will not accept any liability relating to it; and
- can find information on how to fundraise legally and safely.

4.1.2 You must not pay volunteers for fundraising, but you can cover their reasonable expenses.

4.1.3 If you know about a volunteer's fundraising beforehand, you must make sure there are proper arrangements in place for money to be transferred to you quickly and efficiently.

4.2 Specific considerations when working with on-behalf-of volunteers



In this section, 'you' means a charitable institution.

4.2.1 You must carry out appropriate checks to make sure that on-behalf-of volunteer fundraisers are suitable to represent your charitable institution.



Sector advice on DBS
NCVO: [Disclosure and barring service \(DBS\)](#)

Legal requirements for carrying out due diligence checks

The governing bodies of charitable institutions have a general legal duty to protect their reputation and those who benefit from their work. The Charity Commission for England and Wales (CCEW) expects charity trustees to carry out appropriate checks to make sure that people working for or representing the charity are suitable. You can check the criminal records of any staff and volunteers aged over 16 by asking for a basic Disclosure and Barring Service (DBS) check. For any role which involves contact with children or vulnerable adults you should consider asking for a more detailed check, known as a higher-level DBS check.

The **Rehabilitation of Offenders Act 1974**, the **Police Act 1997** and legislation made under these acts describe which level of DBS check you are allowed to ask for. This depends on the person's role or the activities they will be carrying out. You must only ask for checks if you are legally allowed to do so, using **The Disclosure and Barring Service** (in England and Wales), **Disclosure Scotland** or **Access NI (Northern Ireland)**.

Under the **House to House Collections Act 1939**, if volunteers are carrying out house-to-house collections on your behalf, you are legally required to carry out due diligence to make sure that each volunteer is a 'fit and proper person'.

More information:

Cabinet Office: **National exemption order scheme**

Guidance on due diligence

Fundraising Regulator:
Due diligence and fundraising

5. Fundraising involving children and people in vulnerable circumstances

It is important to take particular care when involving children in fundraising, whether as fundraisers, volunteers or donors.

This section includes standards on minimum-age restrictions that apply when fundraising, and standards to protect children and their personal data. There are some activities which children and young people cannot carry out. The age restriction depends on the activity and where it is carried out. These activities include:

- street collections and door-to-door collections;
- lotteries or raffles; and
- selling or handling alcohol.

When carrying out fundraising, there are some activities that young people can and cannot give consent for. You must take additional care when processing children's personal data and consider relevant legislation and guidance across the regions where you work to make sure you are working legally and ethically.

A child is defined as someone under 18 in [The Children Act 1989](#) (in England, Wales and Scotland) and [The Children \(Northern Ireland\) Order 1995](#) (in Northern Ireland). The Charity Commission for England and Wales (CCEW) also use this definition in their guidance, [Safeguarding and protecting people for charities and trustees](#).

5.1 Responsibilities when involving children in fundraising



In this section, 'you' means a charitable institution or third-party fundraiser.

5.1.1 You must make sure that fundraising activities are age-appropriate.

For example, you must take reasonable steps to make sure that children under 16 are not given overall responsibility for handling or counting money.

Guidance on involving children in fundraising

Gambling Commission: [How to run a lottery or fundraiser](#)

GOV.UK: [Alcohol and young people](#)

CCEW: [Alcohol at charity meetings and events](#)



Legal requirements for following age limits for collections

In England and Wales: For house-to-house collections you must not allow anyone aged under 16 to collect money. This is in line with the House to House Collections Regulations 1947, as amended by the House to House Collections Regulations 1963.

For street collections:

- if the licensing authority has adopted the model regulations, you must not allow anyone under 16 to carry out street collections;
- if the licensing authority has not adopted the model regulations, you must keep to any age restrictions in the licensing authority's regulations; and
- in London, you must not allow anyone under 16 to carry out street collections (unless they are doing so as part of a procession, in which case they must be at least 14 and you must have special permission from the relevant licensing authority).

In Scotland: Under The Public Charitable Collections (Scotland) Regulations 1984, you are legally forbidden from allowing children aged under 14 to take part in a street collection if it qualifies as a public charitable collection. Also, you are legally forbidden from allowing children under 16 to carry out door-to-door collections.

In Northern Ireland: Under the House to House Charitable Collections Act (Northern Ireland) 1952 and The Collections in Streets and Public Places Regulations (Northern Ireland) 1963, you are legally forbidden from allowing anyone aged under 16 to carry out door-to-door or street collections. Collectors aged 12 and over can carry out door-to-door collections for youth organisations which the Department for Communities has approved under an exemption order.

More information

Licensing and the law, see section 7 Public fundraising.

5.1.2 You must only contact children on school premises if you have the approval of a relevant member of staff.

The relevant member of staff will usually be the head teacher, or a staff member chosen by the head teacher.

5.1.3 You must get appropriate permission before taking or publishing photographs of children.

For children under 13, you will need permission from a parent, guardian or responsible adult.

The Information Commissioner's Office (ICO) provides guidance on this topic.

- ICO: [Taking photos in schools](#)
- ICO: [Taking photographs: data protection advice for schools](#)

5.2 Safeguarding and working with people in vulnerable circumstances



In this section, 'you' means a charitable institution or third-party fundraiser.

5.2.1 You must have clear procedures in place to make sure fundraisers are aware of their safeguarding responsibilities towards themselves, potential donors and one another.

Procedures should set out how fundraisers work with everyone, including:

- the organisers of an activity;
- the children taking part in the activity;
- the parents, guardians or responsible adults of those children; and
- all potential donors, including those in vulnerable circumstances.

5.2.2 You must not, at any time, take advantage of the trust, lack of knowledge, apparent need for care and support, or vulnerable circumstances of an existing or potential donor.

Sector advice on safeguarding and fundraising

National Council for Voluntary Organisations (NCVO):

[People who need safeguarding while fundraising](#)

[Safeguarding for fundraising managers](#)

**Sector advice on
treating donors fairly**

The Chartered Institute
of Fundraising (CioF):
[Treating donors fairly](#)

5.2.3 You must give appropriate consideration to the needs of existing or potential donors who may be in vulnerable circumstances or need extra care and support to make an informed decision. This includes:

- not accepting a donation if you know, or have reason to believe, that a person cannot make an informed decision to donate; and
- returning a donation if you discover that the donor could not make an informed decision at the time of the donation.

You are not expected to assess every existing or potential donor's capacity to make an informed decision. However, fundraisers should be alert to signs that someone lacks the capacity to make an informed decision and support them appropriately.

5.2.4 You must take all reasonable steps to avoid asking for regular donations (for example, by direct debit) from anyone aged under 18.

6. Fundraising partnerships

This section includes information about what charitable institutions need to consider when entering into partnerships with third-party fundraisers, what agreements with third-party fundraisers should contain, what monitoring charitable organisations should do in relation to third-party fundraisers and what some third-party fundraisers must say to donors when fundraising on behalf of a charitable institution.



Legal requirements for professional fundraisers and commercial participators

Professional fundraisers and commercial participators are particular types of third-party fundraisers. What makes a person or an organisation a professional fundraiser or a commercial participator is set out in law. The law also sets particular obligations on what charitable institutions must do if they are working with professional fundraisers or commercial participators and obligations on what professional fundraisers and commercial participators must do and say.

In England and Wales: Professional fundraisers and commercial participators are defined by section 58 of the Charities Act 1992. The legal requirements that apply to them are set out in part II of the Charities Act 1992 and The Charitable Institutions (Fund-Raising) Regulations 1994.

In Scotland: Professional fundraisers and commercial participators are defined by section 79 of the Charities and Trustee Investment (Scotland) Act 2005. The legal requirements that apply to them are set out in part 2 of the Charities and Trustee Investment (Scotland) Act 2005 and The Charities and Benevolent Fundraising (Scotland) Regulations 2009.

In Northern Ireland: There is currently no legislation relating to professional fundraisers and commercial participators, but charitable institutions fundraising in Northern Ireland may decide to follow the legal requirements that apply in England and Wales or Scotland as good practice.

Guidance on working with professional fundraisers and commercial participators

Fundraising Regulator:

Guidance for charitable institutions working with professional fundraisers

Guidance for charitable institutions working with commercial participators

6.1 Due diligence



In this section, 'you' means a charitable institution.

6.1.1 You must carry out appropriate checks on a third-party fundraiser before entering into an agreement with them. This is to make sure you are reasonably satisfied that they are able to do what you expect them to do and that the relationship is unlikely to damage your reputation.

6.2 Contracts and agreements



In this section, 'you' means a charitable institution.

6.2.1 You must have an appropriate written agreement in place with any third-party fundraiser you work with (unless they are a volunteer, in which case you may decide not to put a written agreement in place).

6.2.2 You must make sure that this agreement provides adequate protection and rights for your charitable institution, taking into account the activity to be carried out under the agreement. In particular, you must be able to end the agreement in a way that allows you to protect your charitable institution's reputation, if this becomes necessary.

6.2.3 You must make sure that this agreement includes appropriate terms about:

- the activities to be carried out by the third-party fundraiser (and if relevant, by you);
- any timescales that apply;
- if the third-party fundraiser will be paid by you, how you will calculate the payment;
- if fundraising materials will be developed or shared, what copyrights you have over these materials;
- handling confidential information;
- how the third-party fundraiser is expected to behave, including keeping to this code;
- complaints procedures and working with us; and
- whether the third-party fundraiser is allowed to subcontract fundraising activities to others and, if so, what standards are in place for subcontracted services.

Guidance on due diligence

Charity Commission for England and Wales (CCEW): [Due diligence, monitoring and verifying the end use of charitable funds](#)

Fundraising Regulator: [Due diligence and fundraising](#)



Legal requirements for written agreements

If the third-party fundraiser falls within the legal definition of a 'professional fundraiser' or 'commercial participator', they are legally required to have a written agreement in place with you. These agreements must be in place before a professional fundraiser begins fundraising on your behalf or before a commercial participator begins a promotion which states that contributions will be given to you.

Legal requirements in Scotland are sometimes different to England and Wales. You must make sure that all written agreements meet the legal requirements of the country where the fundraising will be carried out.

Under **regulations 2 to 3 of The Charitable Institutions (Fund-Raising) Regulations 1994** and **regulation 2 of The Charities and Benevolent Fundraising (Scotland) Regulations 2009**, all agreements with professional fundraisers and commercial participators are legally required to include the following.

- The names and addresses of the charitable institution and the professional fundraiser or commercial participator.
- The date the agreement was signed, how long it is for and any terms relating to amending the agreement or ending it early.
- A statement of the main aims of the agreement and the methods to be used to achieve those aims (and, for agreements with commercial participators, a description of the type of contribution the commercial participator will make to you and the circumstances in which this contribution will be made).
- For agreements with professional fundraisers, how much the professional fundraiser will receive as payment or for expenses and how this will be calculated.



- For agreements with commercial participators, how much you will receive from the commercial participator and how this will be calculated (as a fixed amount or in percentage terms).
- If more than one charitable institution is involved, details of how the donations will be shared between you.

Additional legal requirements for written agreements in England and Wales

Under **section 59 of the Charities Act 1992**, in England and Wales you are legally required to put review procedures in your written agreements. You are also legally required to include the following details.

- Any voluntary regulation that the professional fundraiser or commercial participator has agreed to keep to.
- How the professional fundraiser or commercial participator will protect vulnerable people and the wider public from unreasonable intrusion on a person's privacy, unreasonably persistent approaches or undue pressure to donate.
- How you will monitor the professional fundraiser or commercial participator to make sure they are keeping to the agreement.

Sector advice on monitoring

Chartered Institute of Fundraising (CioF): [Successful Partnerships for Sustainable Fundraising](#)

Guidance on monitoring

Fundraising Regulator: [Monitoring fundraising partnerships](#)

CCEW: [Charities and risk management](#)

6.3 Monitoring that fundraisers are keeping to the code



In this section, 'you' means a charitable institution.

6.3.1 You must make all reasonable efforts to make sure that any third-party fundraisers you work with keep to the code.

6.3.2 You must make all reasonable efforts to monitor whether third-party fundraisers are keeping to the agreement you have with them.

6.4 Solicitation statements for professional fundraisers and commercial participators



In this section, 'you' means a professional fundraiser or a commercial participator.

Solicitation statements are statements that professional fundraisers and commercial participators must give when fundraising for a charitable institution. They explain how the charitable institution will benefit from the fundraising.

Solicitation statements must also be given by some paid employees, officers and trustees of charitable institutions and connected companies when fundraising for a charitable institution.

Section 2.5 Solicitation statements for paid employees, officers and trustees of charitable institutions and connected companies contains information about these solicitation statements.

6.4.1 You must make sure solicitation statements are clear, accurate and up to date.

6.4.2 You must make a solicitation statement before:

- a potential donor gives any money (or if you are a commercial participator, before a donor buys a product or service); or
- you ask for any financial details relating to the transaction.



Legal requirements for solicitation statements by professional fundraisers and commercial participators

Under section 60 of the Charities Act 1992, The Charitable Institutions (Fund-Raising) Regulations 1994 and regulation 3 of The Charities and Benevolent Fundraising (Scotland) Regulations 2009, you are legally required to make a solicitation statement when fundraising or stating that the sale of a product or service will result in a contribution to a charitable institution.

All solicitation statements are legally required to include:

- the name of the charitable institution or institutions; and
- if there is more than one charitable institution, details of how funds will be shared between them.

Solicitation statements for professional fundraisers are also legally required to include:

- how their payment will be calculated; and
- how much they will be paid for the appeal (or, if they don't know the actual amount, an estimate of the amount calculated as accurately as possible).

Employees of a professional fundraiser should provide a statement about the payment their employer will receive in connection with the appeal, not the payment they personally will receive from their employer (the professional fundraiser).

Solicitation statements for commercial participators are also legally required to include:

- the amount (estimated if necessary) that will be given to, or used for the benefit of, the charitable institution, based on:
 - the amount paid for the goods or services;
 - the amount of any other proceeds of the promotion; or
 - the amount raised from donations made in connection with selling or supplying goods and services.



There are also legal requirements which apply when a professional fundraiser or commercial participator asks for a donation verbally without the potential donor being present (for example, when fundraising over the phone or during a radio or television programme).

Additional legal requirements for solicitation statements in Scotland: Under The Charities and Benevolent Fundraising (Scotland) Regulations 2009, in Scotland, the standards on solicitation statements also apply to benevolent fundraisers (other than volunteers) carrying out benevolent fundraising. However, unlike professional fundraisers and commercial participators, benevolent fundraisers do not need to state they are getting paid if they give the solicitation statement in writing. Benevolent fundraisers only need to state they are getting paid if they give the solicitation statement verbally.

In Scotland, if a solicitation statement is made verbally by a professional fundraiser or commercial participator (but not a benevolent fundraiser), they are legally required to tell the potential donor that they can ask for this information in writing, regardless of the donation amount and whether the potential donor is present at the time it is made.

Solicitation statements for commercial participators working with charitable institutions registered in Scotland are also legally required to outline whether the commercial participator will receive any payment from the charitable institution as part of this fundraising.



Legal requirements for solicitation statements where the fundraising is for charitable, philanthropic or benevolent purposes, rather than for the benefit of a charitable institution

In England and Wales: Under section 60 of the Charities Act 1992 and regulation 7 of The Charitable Institutions (Fund-Raising) Regulations 1994, professional fundraisers and commercial participators are also legally required to give solicitation statements if they are fundraising for charitable, philanthropic or benevolent purposes.

In Scotland: Under the Charities and Benevolent Fundraising (Scotland) Regulations 2009, when fundraising for general charitable, benevolent or philanthropic purposes, professional fundraisers and commercial participators must declare this and say how the funds will be shared out.

More information

Cabinet Office: Guidance on Part 2 of the Charities Act 1992

Scottish Charity Regulator (OSCR): Information to be provided by fundraisers

Part 3: Standards which apply to specific fundraising methods

This part covers the standards that apply to different fundraising methods. You should identify the methods you use to fundraise and meet the standards in the relevant sections. You should read these standards alongside the standards in parts 1 and 2 of the code.



7. Public fundraising

This section covers collections of money or other property (including goods and regular gifts) for charitable institutions, whether these are carried out on the street, door to door or on private sites. It includes secure collection procedures and standards to make sure you respect people and places.

The law on collecting money or other property varies, depending on how and where the collection takes place. In most cases, for collections on public land you will need a licence or permission to collect from the relevant licensing authority (or in Northern Ireland, the Police Service of Northern Ireland). On private land, you will need permission from the person responsible for the site.

7.1 Behaviour when collecting money or other property



In this section, 'you' means a charitable institution or third-party fundraiser.

7.1.1 While fundraising you must behave in a way which reflects well on the charitable institution and fundraising in general.

For example, you must not act in a way that:

- could reasonably upset or cause anxiety to potential donors;
- is dishonest or manipulative, or tries to make potential donors feel guilty; or
- could damage the reputation of the charitable institution or fundraising in general, including:
 - using inappropriate language or behaving in a crude or aggressive way;
 - smoking, vaping, drinking alcohol and so on; and
 - using your position for personal gain.

7.1.2 You must be clear and honest about your intention to fundraise when approaching potential donors.

For example, if you are fundraising you must not say that a conversation is ‘not about fundraising’ or lead the person to believe you are asking for a one-off donation if you are asking for regular gifts.

7.2 Street and private-site collections



If any of the standards in this section contradict or conflict with any conditions included in a licence granted by a licensing authority or in an agreement you have with the owner or manager of a private site, the licence or site agreement will apply.

In this section, ‘you’ means a charitable institution or third-party fundraiser.

7.2.1 You must avoid approaching the public at unsuitable moments. For example, when they are:

- in a queue or sitting down, unless they are at your promotional stand or waiting to take part in your fundraising activity; or
- clearly working or carrying out official duties.



The ‘three step’ rule:

If you have approached a member of the public, you must:

- not take more than three steps alongside them or follow them; and
- if they have not come to a stop within the three steps allowed, you must end your attempt to talk to them.

If you have successfully started a conversation with a person, you can take more than three steps to escort them to a promotional stand or to a different part of a promotional stand.

7.2.2 You must treat the locations where you are fundraising with respect and must not leave bags or other property unattended, or cause an obstruction or nuisance to the public or other businesses.

For street collections and collections on sites managed by a local authority, this includes not positioning yourself within three metres of:

- a shop entrance;
- a pedestrian crossing;
- a cash machine;
- a station entrance;
- a market stall; or
- a street trader, vendor or busker.

If you have a stand for your collection, you must remain within sight of it.

For private-site collections booked with a retailer, you must work within one metre of the promotional stand (or equivalent). If the collection is taking place at a shopfront, the promotional stand must be no more than one metre away from the shopfront.

7.2.2 You must carry out street fundraising at appropriate times. These are:

- between 9am and 7pm, Monday to Saturday; and
- between 10am and 7pm on Sundays and public holidays.

If different times are stated in a Chartered Institute of Fundraising (CioF) site management agreement, you must keep to the times in the agreement.

Sector advice on cold calling

Chartered Institute of Fundraising (CioF):
No cold calling zones and stickers

7.3 Door-to-door fundraising



In this section, 'you' means a charitable institution or third-party fundraiser.

7.3.1 You must not carry out collections at properties where residents have made it clear they do not want to be disturbed. This includes:

- properties with a sign saying 'no cold-callers' or similar; and
- groups of properties in an area where cold-calling is not allowed (no cold-calling zones).

7.3.2 You must approach properties and residents respectfully. This includes:

- taking extra care when visiting properties after dark or in isolated locations;
- not approaching properties in groups of more than two fundraisers at a time;
- only knocking on the front door or main entrance unless a resident asks you to knock somewhere else;
- not asking to enter a property and only entering if you are given clear permission by a resident;
- not using permission from one resident to enter a building which contains separate properties (such as a block of flats) as permission to approach other properties in the building; and
- not stopping residents from shutting their door (for example, by putting your foot in the doorway).

7.3.3 You must carry out door-to-door collections at appropriate times. Unless your licence or an exemption order says otherwise, these are:

- between 9am and 9pm, Monday to Saturday; and
- between 10am and 9pm on Sundays and public holidays.

If you need to make a second visit to a property for your collection, you can only do this outside the above times if you have permission from the resident.

7.4 Licences, permission and identifying fundraisers



In this section, 'you' means a charitable institution or third-party fundraiser.

7.4.1 You must make sure you have appropriate permission before starting your fundraising activities and that your activities meet the requirements of the licence, permit, exemption order or permission which applies to them.



Requirements of licences and permits

The requirements of licences and permits vary but, in general, you will be expected to:

- apply to the relevant authority in good time before the collection is due to take place;
- only fundraise on the dates, at the times and in the areas that are allowed;
- carry out appropriate due diligence on fundraisers;
- make sure fundraisers meet minimum-age requirements; and
- provide the necessary official materials and appropriate authorisations to fundraisers.

Some licences and permits may also require you to provide the names and details of individual fundraisers in an area. Some charitable institutions will provide a certificate of authority to volunteers or collectors to show they are legitimate fundraisers.

Guidance on exemption orders

Fundraising Regulator:
Exemption orders

- 7.4.2** You must make sure fundraisers are suitable for the work they are doing. This includes:
- carrying out appropriate due diligence; and
 - making sure fundraisers are at least the minimum age required to carry out the activity.
- 7.4.3** You must make sure fundraisers have the appropriate official materials and any formal authorisation needed to carry out their fundraising. You must also keep a record of the fundraising materials you issue and when they are returned.



Legal requirements for collection materials in Scotland

Under regulation 4 of The Public Charitable Collections (Scotland) Regulations 1984 organisers of collections are legally required to record:

- the name and address of each collector, and the number of collecting envelopes issued to them; or
- the identification number marked on the collecting box given to each collector.

Identifying fundraisers

- 7.4.4** You must make sure that fundraisers and vehicles used for fundraising activity can be clearly identified as representing your charitable institution.

Door-to-door, private-site and street fundraisers should be identifiable by clothing that clearly displays the charitable institution's branding. This does not apply to in-aid-of volunteers, or fundraisers who are using a stand that can be identified by the charitable institution's branding.

- 7.4.5** You must make sure that your fundraisers have appropriate identification for the activity they are carrying out.



ID badges

Under the code, fundraisers do not need ID badges for the following activities, but fundraisers should be clearly identifiable.

- Distribution and collection of charity bags
- Cash collections by volunteer fundraisers
- Cash collections on private sites (unless the site owner says fundraisers must wear ID badges)

If ID badges are needed, they must:

- be at least the size of a credit card;
- be displayed in a place where potential donors can see them clearly (usually on the upper front part of the fundraiser's body);
- not have been tampered with; and
- be accessible to people with sight difficulties (for example, the information on the ID badge could be available in large print).

All ID badges must contain:

- the identity of the fundraiser;
- a recent photograph of the fundraiser;
- a signature or other authorisation (such as a company stamp) from the charitable institution or the professional fundraiser who employs the fundraiser; and
- the name of, and contact details for, the charitable institution the fundraiser is collecting for or the third party who employs the fundraiser.

7.5 Convenience giving and unstaffed collections



In this section, 'you' means a charitable institution or third-party fundraiser.

Convenience giving and unstaffed collections are easy ways for people to donate money or other property and often don't need a fundraiser to be present. However, it is important that potential donors have access to all the information needed to make an informed donation.

Collection methods for convenience giving include:

- tap-to-donate and other automated collection methods, such as texting a dedicated number or using a QR code; and
- adding donations to payment transactions, for example by rounding up a bill in a shop or restaurant.

Unstaffed collection methods include:

- static collections;
- clothing and goods donation banks; and
- charity bags that are distributed door to door.

Requests for donations through direct marketing are covered in [section 8 Fundraising communications and advertising](#).



Legal requirements for static collection boxes

[Part II of the Charities Act 1992](#) and [part 2 of the Charities and Trustee Investment \(Scotland\) Act 2005](#) set out the legal requirements that apply when another organisation receives a payment or other benefit for managing static collection boxes on your behalf.

General standards for convenience giving and unstaffed collections

7.5.1 You must make sure that, before making a donation, donors can see clear, accurate and up-to-date information about the collection. This includes:

- the name of the charitable institution receiving the donation; and
- the charitable institution's registration information (charity number or company number) and their contact details.

If a collection is organised by a third-party collector, the information must also include:

- details of how any fundraising partners will be paid as part of the collection; and
- the name and contact details of the collector, if this is different from the charitable institution.

7.5.2 You must make sure donors can easily find the following information:

- Details of the processing fees involved in the donation; and
- Details of any secondary purpose which donations may be used for.

If space is limited and it is not practical to include this information at the location of the collection, you should provide a short link to a webpage containing these details.

Static collections and clothing and goods donation banks

7.5.3 You must have a written agreement in place with the site manager or owner of the location where the collection is taking place. The agreement must include:

- details of who is responsible for collecting and processing donations;
- details of how and when collections will be made;
- information on how the collector or the site manager or owner can end the arrangement; and
- details of how the site manager or owner must report any theft of donations or damage to the collection box or donation bank.

Donations by text message

7.5.4 You must use charity short codes when asking for donations by text message.

Ofcom is the lead regulator for content, goods and services charged to a phone bill and provide guidance on this topic.

Roundups and automatic donations

7.5.5 If a charitable institution is aware that an organisation is offering a way to automatically add a donation to a payment transaction (such as by rounding up a bill in a shop or restaurant), they must take reasonable steps to make sure the organisation gets the donor's permission (for example, by asking them to tick an opt-in box).

If donors have agreed to make regular payments, for example, with a bank account which includes a donation in every transaction, they will not need to give permission for each individual donation.

Charity collection bags

- 7.5.6** You must not distribute charity bags (or related materials) at properties where residents have made it clear they do not want to receive them (for example, with a sign reading ‘no charity bags’ or similar).

Charity bags should meet the standards set out in the Advertising Standards Authority’s (ASA’s) guidance **Charitable door-to-door collection bags**.

8. Fundraising communications and advertising

This section covers standards related to promoting your fundraising. It also includes standards for fundraising over the phone, by post and through direct messages.

Many fundraising communications take the form of advertising and so are covered by The UK Code of Non-broadcast Advertising and Direct & Promotional Marketing (CAP Code) and The UK Code of Broadcast Advertising (BCAP Code), which are managed by the Advertising Standards Authority (ASA). The ASA offers a range of advice and resources which can help charitable institutions make sure their advertising keeps to their codes.

The ASA's codes do not cover all types of fundraising communication, such as live communication made over the phone or in person, but these are covered by wider consumer-protection laws (such as the Consumer Protection from Unfair Trading Regulations 2008 and the Consumer Rights Act 2015). All types of fundraising communication are expected to meet the standards set out in this section.

8.1 General standards



In this section, 'you' means a charitable institution or third-party fundraiser.

- 8.1.1** You must make sure the content of your fundraising communications, and the methods you use to deliver them, are responsible and suitable for the people they are aimed at.
- 8.1.2** You must not use claims or images in your fundraising communications that people may find shocking merely to attract attention. If you do use shocking content, you should include warnings about this.
- 8.1.3** You must make sure information you include in your fundraising communications about your charitable institution and fundraising activities is accurate.

More information

Government Digital Service: Understanding accessibility requirements for public sector bodies

Case studies

8.1.4 You must be able to show that all case studies are representative of real situations.

If any details in a case study have been changed, you must make this clear.

8.1.5 You must get clear and informed permission from any people who could be identified from a case study before you use it.

If the person has died, you must take all reasonable steps to get permission from their estate.

Enclosures

8.1.6 You must take appropriate care when including enclosures in fundraising materials. This includes making sure enclosures:

- strengthen your message and do not encourage someone to make a donation based on guilt or embarrassment;
- are safe for the person receiving them; and
- do not cause undue inconvenience to the person receiving them.



Legal requirements for fundraising communications

You are legally required to make sure your fundraising communications keep to trademark and copyright law, including The Copyright, Designs and Patents Act 1988 and the Trade Marks Act 1994, and get appropriate permission to use images, logos and so on from the person or organisation who holds the rights to them.

Your public advertisements are legally required to keep to the following.

In England:

- Town and Country Planning Act 1990
- The Control of Advertisements Regulations 2007
- Highways Act 1980

In Scotland:

- Town and Country Planning (Scotland) Act 1997
- The Town and Country Planning (Control of Advertisements) (Scotland) Regulations 1984

In Northern Ireland:

- The Planning (Control of Advertisements) Regulations (Northern Ireland) 2015

8.2 Information that must be included in fundraising communications and online content



In this section, 'you' means a charitable institution or third-party fundraiser.

As well as your main website, you may have other related websites or microsites created for specific campaigns or events. This section covers all websites which host fundraising activity and online media you control, such as social media accounts.

8.2.1 You must make sure your contact details and information about how you process personal data is easy to access on your website and anywhere else you collect personal data.

8.2.2 If you are fundraising in partnership with one or more charitable institutions, you must state how the money will be split between the organisations.



Legal requirements for fundraising documents

For charities

Section 39 of the Charities Act 2011 sets out the information which registered charities in England and Wales with an income over £10,000 per year are legally required to include in their fundraising documents.

In Scotland, the information that is required in documents relating to registered charities (including Scottish Charitable Incorporated Organisations) is set out in the following.

- **The Charities References in Documents (Scotland) Regulations 2007** (as amended)
- **Scottish Charitable Incorporated Organisations Regulations 2011** as amended by **The Charities (References in Documents) (Miscellaneous Amendment) (Scotland) Regulations 2024**
- **Section 52 of The Charities and Trustee Investment (Scotland) Act 2005**

For registered companies (including charitable companies and community interest companies)

The Company, Limited Liability Partnership and Business (Names and Trading Disclosures) Regulations 2015 set out the legal requirements for registered companies in England, Wales and Northern Ireland. Companies House also provides guidance on information which must appear on **signs, stationery and promotional material**.

Section 112(6) of The Companies Act 1989 and **The Company, Limited Liability Partnership and Business (Names and Trading Disclosures) Regulations 2015** set out the legal requirements for documents relating to registered companies in Scotland.

More information

Fundraising Regulator:
Requirements for fundraising documents



For charitable incorporated organisations

Charitable incorporated organisations (CIOs) are also required to state their names in every document and location in which a charitable company would be required to state its name under The Company, Limited Liability Partnership and Business (Names and Trading Disclosures) Regulations 2015. This obligation is set out in section 211 of the Charities Act 2011.

Scottish charitable incorporated organisations (SCIOs) are covered by the rules set out above in the 'For charities' section.

8.3 Fundraising calls



In this section, 'you' means a charitable institution or third-party fundraiser.

This section includes all fundraising calls and voicemails that are made to ask for financial donations and other types of donations, such as volunteering time. It does not include administrative calls (although you can use this section as guidance for those calls).

8.3.1 You must not make fundraising calls:

- to anyone you have reason to believe is aged under 16;
- after 9pm, unless the person has asked you to call after that time; or
- by dialling random numbers generated manually or automatically.

8.3.2 You must check the person is happy for you to contact them at that time at the start of a fundraising call.

8.3.3 You must be clear that you are going to ask for financial support during a fundraising call (this includes when leaving a voicemail).

8.3.4 You must make sure your fundraising calls are conducted responsibly. This includes:

- not asking for a financial contribution more than three times in a single call.

Guidance on telephone marketing

Information Commissioner's Office (ICO): Direct marketing using live calls and Telephone marketing



Legal requirements for fundraising calls

The Privacy and Electronic Communications (EC Directive) Regulations 2003 (PECR) set out a number of legal requirements relating to phone calls, which will apply to fundraising calls. During fundraising calls, you are legally required to:

- give your name and the name of the charitable institution you are fundraising for;
- make calls from a number which can be identified by the person receiving it and which they can use to return your call;
- provide a valid business address or Freephone number if someone asks how they can contact you; and
- provide an appropriate solicitation statement if you are a professional fundraiser asking for donations.

During fundraising calls, you are legally forbidden from:

- making automated phone calls (calls made by an automated dialling system that plays a recorded message) unless you have the person's permission to do this;
- making silent or abandoned calls;
- calling someone again if they have told you in a call that they are not happy for you to contact them; or
- claiming that marketing calls are administrative calls.

These are just examples and do not represent all the requirements of PECR. Ofcom has provided specific **guidance on persistent misuse of electronic communications**, which includes information about silent calls and other types of nuisance call.

8.4 Opting out of communications and consent



In this section, 'you' means a charitable institution or third-party fundraiser.

8.4.1 You must have appropriate systems and procedures in place to make sure that:

- you do not send fundraising communications to people who have indicated they do not want to receive them;
- you stop sending fundraising communications to people you know have died;
- you meet your obligations under data-protection legislation; and
- your databases are accurate, and where necessary, kept up to date.

If you do not have specific permission to contact a person, you must check against lists of people who have previously indicated that they don't want to receive fundraising communications, such as the following.

- Fundraising Preference Service
- Mailing Preference Service
- Telephone Preference Service

8.4.2 If you have a person's consent to send them electronic direct marketing, you must:

- offer an easy way for them to withdraw their consent (for example, by providing an 'unsubscribe' link in emails); and
- remind them of their contact preferences and offer an easy way for them to change these (for example, by providing an 'update marketing preferences' link).

8.4.3 You must use a simple opt-out message for people to tell you if they don't want to receive messages from you. This includes offering an option for people to reply to mobile messages to opt out of receiving them.

More information on

Fundraising Regulator:
Legal requirements for
storing, maintaining
and sharing data

Fundraising Regulator:
The rights people have
over their data

8.4.4 You must be able to justify how often you contact people about fundraising, balancing the need to communicate with not bombarding people.

8.4.5 You must make sure consent statements included in your fundraising materials are clear, easy to read and suitably prominent.



Legal requirements on opportunities to opt out and consent

Under The Privacy and Electronic Communications (EC Directive) Regulations 2003 (PECR), fundraising communications sent by email or mobile phone are legally required to:

- only be sent to people who have given their consent beforehand;
- include clear procedures for how people can subscribe and unsubscribe;
- offer a way to opt out of marketing messages at no extra cost; and
- include clear information on costs associated with any premium-rate messages.

Under Article 7 of UK GDPR, you are legally required to update the person's record as necessary to reflect any changes to their consent or contact preferences. For more information about consent, see the ICO's guidance on obtaining, recording and managing consent.

Guidance on opting out of communications and consent

Fundraising Regulator:
Telephone Preference Service (TPS)
compliance checking:
quick guide for
fundraisers

ICO: Direct marketing
guidance

9. Online fundraising platforms

Donation pages can be on a charitable institution's own website or on an online fundraising platform (for example, on another organisation's website). If a charitable institution's own website directs donors to an online fundraising platform that charges fees (including payment transaction fees) for each donation, they should make sure those fees, and how they are charged, are clear.

Money raised through online fundraising platforms may go:

- direct to a charitable institution;
- to a fundraiser (or fundraisers) to pass on to a registered charitable institution; or
- to a beneficiary who is not a charitable institution.

Some online fundraising platforms fall within the definition of a professional fundraiser or commercial participator. **Section 6 Fundraising partnerships** explains the standards they must follow.

This section sets out the standards we expect from online fundraising platforms to make sure fundraising is responsible, clear about fees and in line with the code.

As well as the standards below, online fundraising platforms should see the following sections of the code.

- For more standards on processing donations, see **section 3 Processing donations**.
- For more standards on the relationship between charitable institutions and those carrying out fundraising activities through online fundraising platforms, see **section 4 Volunteers** and **section 10 Events**.

9.1 Responsibilities of online fundraising platforms



In this section, 'you' means an online fundraising platform.

General standards

9.1.1 You must take all reasonable steps to make sure charitable fundraising on your platform is carried out responsibly. This includes:

- keeping up to date with the code and guidance that we provide;
- following relevant guidance for fundraising platforms;
- removing inappropriate charitable fundraising campaigns; and
- responding appropriately to reasonable requests from charitable institutions.

9.1.2 You must provide users with an easy-to-access link to our guidance for those setting up a fundraising page before they can accept donations on your platform. Users must agree to keep to relevant sections of the code as a condition of using your platform.

If necessary, this will allow you to suspend a user if their page breaks the code.

Fees for hosting a fundraising campaign

Most fundraising tools and platforms will charge a fee, either to the charitable institution or the donor, as part of their business model. Whether this is a fixed amount for each donation, a percentage of the donation or Gift Aid, a subscription by the charity, or an additional payment by the donor, information about these fees and how they are calculated must be clear and easy to find.

9.1.3 If you charge fees for hosting a fundraising campaign, you must make sure the following information is clearly visible to donors before you ask for their financial details.

- How your fee will be calculated (for example, as a percentage of the Gift Aid on the donation, or as a fixed charge for each donation).
- How much you will receive from their donation. (If you don't know the exact amount at the time of donation, give an example that shows how much you receive on a representative donation of, for example, £10.)
- How your fee can be amended or removed, if this is possible. If the fee can be removed, you must offer a straightforward way for users to do this.



Legal requirements for fundraising platforms

You need to meet all legal requirements that apply to you as an online fundraising platform. These include, but are not limited to, the following.

Data protection: In the UK, **The Information Commissioner's Office** (ICO) is the lead regulator for data protection. It can provide the most up-to-date information on how to keep to the following.

- **Data Protection Act 2018**
- **The UK General Data Protection Regulations (UK GDPR)**
- **The Privacy and Electronic Communications Regulations (PECR)**

Financial services laws and regulations: **The Financial Conduct Authority** (FCA) is responsible for financial services laws and regulations and provides guidance about this.

Further guidance

Fundraising Regulator:
Guidance for fundraising platforms

Online fundraising advice and guidance for the public

Key questions you should ask when donating to an online fundraising appeal

10. Events

Event fundraising is a way to bring communities together to fundraise for a particular cause. This section contains standards for planning and carrying out events (including challenge and virtual events) in the UK or overseas, including getting any permission that is needed to use a site, making sure events are safe and managing the risks responsibly.

10.1 Planning the event



In this section, 'you' means a charitable institution or third-party fundraiser.

10.1.1 You must carry out an appropriate risk assessment before holding an event. This includes:

- being clear about who is insuring against each risk (for example, you or the owner of any building you are using); and
- setting out specific responsibilities and risks when working with a third party.

If you are an employer, you are legally required to carry out a risk assessment under The Management of Health and Safety at Work Regulations 1999 or the Management of Health and Safety at Work Regulations (Northern Ireland) 2000.

10.1.2 You must make sure health and safety arrangements are suitable for the event you are holding.

10.1.3 You must have a plan to cover all situations you could reasonably expect at the event and make sure the people involved understand what you expect of them.

10.1.4 You must make sure you have all permission and licences that are needed for the event and meet any relevant local guidance that applies to the event or the site.

Guidance on events in the countryside

Fundraising Regulator:
Legal requirements for events

England and Wales:
The Countryside Code

Scotland: The Scottish Outdoor Access Code

Northern Ireland:
The Northern Ireland Countryside Code

If you plan to use open access land in England or Wales, you should also make sure your events follow the Countryside and Rights of Way Act 2000. Natural England also provides guidance on Open access land: management, rights and responsibilities.

10.2 Promoting an event

In this section, 'you' means a charitable institution or third-party fundraiser.

10.2.1 You must make sure any materials that encourage people to fundraise as part of an event, and those sent to participants who have signed up for an event, are clear about what is expected of them and how donations will be used. This includes:

- the commitments participants must make;
- whether participants must pay a personal registration fee; and
- whether any part of the money a participant raises will be used to directly benefit them, for example by covering their expenses.

All communications relating to your event must be clear and accurate, in line with [section 8 Fundraising communications and advertising](#) and the [Advertising Standards Authority's rules](#). In particular, you should be clear about how the money raised by the event will be used.

10.3 Recruiting participants and collecting the funds raised



In this section, 'you' means a charitable institution or third-party fundraiser.

10.3.1 You must make sure that, before agreeing to take part in a fundraising event, participants are aware of any conditions for taking part, including:

- any fundraising targets they are expected to meet; and
- any age, level of fitness, preparation or training that is needed to take part safely.



Legal requirements for recruiting participants

In England, Wales and Scotland, under the **Equality Act 2010** you are legally required to make sure your fundraising events do not discriminate against people with characteristics that are protected by law.

In Northern Ireland, you are legally required to make sure your fundraising events do not discriminate against people with characteristics that are protected by law.

You can find more information about this from:

- in England and Wales: **the Equality and Human Rights Commission**; and
- in Northern Ireland: **the Equality Commission for Northern Ireland**.

If a person has been recruited to take part in an event, you can only refuse to allow this in certain circumstances, such as if they have broken the event conditions or there is a health and safety risk. You must also make sure you have all relevant legal permission, in writing, that you need from participants before the event.

You should consider whether the participants should be treated as professional fundraisers. They are likely to fall within the legal definition of professional fundraisers if they use more than £1,000 of the sponsorship money they raise to pay for their costs to take part in the event.

More information:

- **Section 6 Fundraising partnerships**
- Chartered Institute of Fundraising (CioF): **Challenge Events**.

10.3.2 You must make sure sponsorship forms are clear about any conditions that participants need to meet to receive the sponsorship money (for example, finishing a marathon).

Guidance on events

Fundraising Regulator:
Legal requirements for events

10.3.3 You must have procedures in place to cover how sponsors should be told and refunded if:

- the participant does not meet any conditions that apply; or
- the event is cancelled.

If sponsorship money is given without participation conditions, you may not be able to refund it.

For more information on refunds, see **section 2.2 Accepting, refusing and returning donations.**

10.3.4 Charitable institutions must have procedures to cover:

- how they will follow up on participants who have not met any minimum sponsorship requirements; and
- how participants should follow up donors who have not paid.

11. Prize competitions and free draws

This section contains information about fundraising for a charitable institution through prize competitions or free draws.

11.1 General requirements



In this section, 'you' means a charitable institution or third-party fundraiser.

11.1.1 If you are fundraising on behalf of a charitable institution through a prize competition or free draw, you must have written authorisation from the charitable institution to do so.

11.1.2 You must publish the name of the organiser and include a clear and simple method of accessing any terms and conditions in communications about prize competitions and free draws.

If you are the organiser of a prize competition or free draw, you must follow the Code of Non-broadcast Advertising and Direct and Promotional Marketing (CAP code). In particular, you must follow the section on promotional marketing.

11.2 The draw



In this section, 'you' means a charitable institution or third-party fundraiser.

Procedure for the draw

11.2.1 You must make sure all valid ticket entries are included in the draw, that the draw is random, and the result is recorded.

If the draw takes place in person, it should be witnessed to make sure it is random.

If the draw is carried out electronically, processes that produce random results (for example, a random-number generator) should be used.

11.2.2 You must tell entrants how the draw will be carried out, and give them clear details of all relevant rules, entry instructions, dates and deadlines.

Guidance on lotteries

Fundraising Regulator:
Lotteries

Procedure after the draw

11.2.3 After the draw you must:

- give the organiser records of tickets and payments for audit purposes;
- take all reasonable steps to contact all winners within seven days of the draw;
- take all reasonable steps to award prizes to the winners; and
- make details of the winners public (unless they objected to this when they entered the draw).

Guidance on prize competitions

Gambling
Commission: **Free
draws and prize
competitions**

Northern Ireland
Department for
Communities: **Leaflet
on prize competitions
in Northern Ireland**

Advertising
Standards Authority
(ASA): **Promotional
marketing: Prize draws**

12. Grant-making bodies (including trusts and foundations)

Grant-making bodies make money available to fund projects within their charitable, philanthropic or benevolent purposes. This section includes standards about applying for, receiving and using these grants.

12.1 Grant applications and monitoring



In this section, 'you' means a charitable institution or third-party fundraiser.

12.1.1 You must prepare your grant applications responsibly. This includes:

- making sure you have appropriate permission to include any referees in your application.

12.1.2 You must act appropriately following the grant decision. This includes:

- making sure you understand and can meet any conditions relating to the grant;
- meeting the administrative requirements of the grant-making body and the terms and conditions of your grant agreement; and
- only appealing against a rejection if you have appropriate reasons.

12.1.3 You must communicate appropriately with the grant-making body. This may include:

- telling them if there are any serious problems with the funded project;
- closely following their reporting guidelines and requirements; and
- asking for, and receiving, their written permission before changing how the grant is spent.

13. Payroll Giving and post-tax salary donations

This section includes the standards for promoting payroll and post-tax salary donation schemes in the workplace. It includes meeting HM Revenue & Customs' (HMRC's) requirements and making sure that employers and employees have clear expectations about how your scheme works.

There are various types of fundraising within the workplace, and there are specific laws and self-regulation that you should keep to. The code specifically covers donations made direct from an employee's salary in the following ways.

- Payroll Giving – a tax-efficient scheme where donations are taken from employees' pay before tax is taken.
- Post-tax salary donations – where employees' donations are taken from their salary after tax has been taken.

These schemes are only for donations to charities, and must be run through a Payroll Giving agency chosen by the employer. Payroll Giving agencies receive employees' donations which the employer has taken through the payroll. The agencies then pass the donations to the relevant charities. HMRC's website has a [list of currently approved payroll giving agencies](#).

13.1 Payroll Giving and post-tax salary donations



In this section, 'you' means a Payroll Giving agency or professional fundraiser involved in Payroll Giving, unless we tell you otherwise.

13.1.1 You must be clear to donors that they are free to end an agreement to donate at any time.

13.1.2 You must not offer any benefits to donors in return for donating, and must make sure any references to different levels of tax relief are correct.

Charitable institutions which receive Payroll Giving or post-tax salary donations may provide limited benefits in line with [HMRC's guidance on Payroll Giving](#).

13.1.3 Professional fundraisers involved in Payroll Giving and post-tax salary donations must:

- make sure donors' wishes relating to which charity or charities will receive their donation are followed;
- process and pass information relating to new donors to the charitable institution as soon as possible;
- represent each charity fairly when working for more than one charity; and
- be clear that donors can give to any charity of their choice, even if you are promoting a particular charity.

Professional fundraisers involved in Payroll Giving must also meet the solicitation statement expectations set out in [section 6 Fundraising partnerships](#).

Promoting Payroll Giving and post-tax salary donations in the workplace

13.1.4 You must agree conditions for access (for example, to the workplace) with the relevant employer before discussing donations with employees.

13.1.5 Fundraisers must wear photo ID badges, provided by the organiser of the fundraising activity or the relevant fundraising organisation, at all times when promoting Payroll Giving in the workplace. The ID badges must be worn in a place where they can be seen clearly.



Legal requirements

Payroll Giving agencies and employers using their schemes must keep to [The Charitable Deductions \(Approved Schemes\) Regulations 1986](#).

Sector advice on legacies

CloF: [Introduction to Legacy Fundraising](#)

Institute of Legacy Management (ILM): [Good Practice Guidance](#) and [Legacy Insights](#)

[Guidance on raising funds through wills](#)

Charity Commission for England and Wales (CCEW): [Raising funds through wills and charitable legacies](#)

14. Legacies

Gifts in wills (legacies) can be a particularly sensitive area of fundraising, so it is important that fundraisers have clear role boundaries. This section sets out standards to avoid undue influence and pressure and manage conflicts of interest while being sensitive to the wishes of the person leaving the gift (the testator) and any conditions they may set.

14.1 General responsibilities



In this section, 'you' means a charitable institution or third-party fundraiser, unless we tell you otherwise.

14.1.1 You must make sure that all fundraising activity relating to legacies considers:

- the freedom of the potential testator to provide for their family and others; and
- any sensitive circumstances of the potential testator and their family and friends, where known.

14.1.2 You must make sure any information you provide for potential testators to include in their will or related documents is clear and accurate.

You must be clear that any suggested wording does not represent legal advice. If you provide suggested wording about your charitable institution, this should include the charitable institution's:

- full name and address; and
- registration details (such as the charity number and registered address).

14.1.3 If a potential testator asks you or any of your officers or employees to act as executor, you must consider whether:

- you have the legal power to do this;
- it is in the best interests of your charitable institution; and
- there are any risks or potential conflicts of interest for your charitable institution.

14.2 Communicating in person



In this section, 'you' means a charitable institution or third-party fundraiser, unless we tell you otherwise.

14.2.1 You must behave respectfully towards potential testators. As part of this, you must make sure that fundraisers:

- are open about the reason for inviting someone to an event where legacies will be discussed;
- do not act in a way which could be considered unreasonably pressurising;
- carry out meetings in a suitable way, which is sensitive to the potential testator's interests and concerns;
- keep a record of meetings and communications with potential testators; and
- accept the potential testator's right to:
 - invite other people to all meetings;
 - decline a meeting; or
 - end a meeting at any time.

14.3 Involving charitable institutions in making a will



In this section, 'you' means a charitable institution or third-party fundraiser, unless we tell you otherwise.

Close relationships can develop between a fundraiser and a person considering leaving a legacy to a charitable institution. This can lead to the fundraiser benefiting rather than the charitable institution, as a legacy may be left to the individual fundraiser rather than to the charitable institution.

14.3.1 You must make sure fundraisers do not take advantage of a relationship with a potential testator while fundraising. To avoid this, fundraisers:

- must not draft, or be directly involved in drafting, wills in their favour; and
- must tell you about any offer of a personal legacy (rather than a legacy to the charitable institution).

14.3.2 You must have procedures in place to deal with situations where a potential testator offers a personal legacy to a fundraiser.

If you believe a fundraiser has taken advantage of their position to encourage someone to leave them a personal legacy, you must follow appropriate disciplinary procedures.

14.3.3 There are considerable risks in paying the costs involved in making a will which includes a legacy to your charitable institution. If you choose to do this, you:

- **must not insist that your charitable institution receives a legacy or is appointed as executor in exchange for paying for the will; and**
- **must provide clear information about the service being offered and the testator's options.**

If you are using a will-writing partner, providing clear information includes:

- providing information about the level of legal advice the partner will provide;
- giving the testator at least two providers to choose from, without providing a recommendation; and
- making it clear that the will-writing partner will be acting only in the potential testator's interests and on their instructions.

If you are not using a will-writing partner, providing clear information includes:

- recommending that the potential testator should get independent legal advice.



Legacies with conditions or for restricted purposes

A testator may set conditions on their legacy, such as how they want the charitable institution to acknowledge the gift. Testators may also say that the legacy must be used for a specific purpose or project.

You will need to consider whether you can meet the conditions or use the legacy for the restricted purpose before you accept it. You may need to get independent legal advice on this. If you cannot meet the conditions or use the legacy for the restricted purposes, you should not accept it.

For more information on accepting and refusing donations, see **section 2.2 Accepting, refusing and returning donations**.

Glossary

This section defines the key terms used in the code. All definitions relate to how the terms are used in the context of the code.



benefit

Something given to a donor (or someone connected to them) in return for their donation. If the value of the benefit is higher than certain limits, the donation will not qualify for Gift Aid.

Visit the [HMRC page of GOV.UK](#) for more information.

benevolent body

In Scotland, any organisation, whether or not it is a charity, which has been set up for charitable, philanthropic or benevolent purposes.

benevolent fundraiser

A person fundraising for, or on behalf of, a benevolent body or connected company.

challenge events

Fundraising events that raise money through sponsorship of a person (or group of people) who is taking part in a specific activity, such as running a marathon or climbing a mountain.

charitable institution

An organisation that was established for purposes which may not be strictly charitable in law, but which are philanthropic or benevolent. This includes charities (registered or exempt), voluntary organisations and community interest companies.

charitable, philanthropic or benevolent purpose

A charitable purpose is one which is considered charitable under relevant laws of England and Wales, Scotland or Northern Ireland. A philanthropic or benevolent purpose is a wider public benefit which is not considered charitable by law. The code covers fundraising carried out for charitable, philanthropic or benevolent purposes

charity

A body which is recognised as a charity under the relevant laws of England and Wales, Scotland or Northern Ireland.

charity cheques and vouchers

Charity cheques and vouchers are a feature of tax-efficient donor accounts. Donors pay a lump sum or regular amounts into these accounts. They can then use cheques or vouchers to make donations to charitable institutions from these accounts.

The agency managing the account will claim and add Gift Aid to the donation before it is paid. When the charitable institution receives the charity voucher or cheque, it contacts the agency to arrange for the donation to be transferred.

charity short codes

Text-message numbers used to send donations to a charitable institution from mobile phones. Charity short codes are numbers in the 70000 to 70999 range to distinguish them from other short-code services.

cold-calling

An uninvited fundraising visit or phone call where the person being contacted has had no previous or recent relationship with the charitable institution.

collection

A collection of money or other property:

- in public;
 - on private land; or
 - door to door.
-

collector

A person or organisation collecting donations door to door, as part of a street collection or on private land.

commercial participator

A person or business who promotes their goods or services on the understanding that they will make contributions to one or more charitable institutions. This is a legal definition set out in **section 58 of the Charities Act 1992** and **section 79 of the Charities and Trustee Investment (Scotland) Act 2005**.

Professional fundraisers and connected companies are not commercial participators. Some in-aid-of volunteers may be commercial participators.

community interest company (CIC)

A limited company whose main aim is to benefit the community rather than make a private profit.

The code covers fundraising carried out by CICs.

conflict of interest

A situation where a person who is making decisions on behalf of a charitable institution could be (or could be believed to be) influenced by other responsibilities, commitments or relationships.

connected company

A company, such as a trading subsidiary, that is owned or controlled by one or more charitable institutions.

consent

In the context of processing personal data, the Information Commissioner's Office defines consent as: 'any freely given, specific, informed and unambiguous indication of the data subject's wishes by which he or she, by a statement or by a clear affirmative action, signifies agreement to the processing of personal data relating to him or her'.

This means that the person must show they agree to you using their data with a clear, positive action (for example, by ticking an opt-in box).

consent statement

A statement in which an organisation explains how it will use someone's personal data before that person agrees to their data being processed.

convenience giving

Methods of fundraising which allow people to make quick and easy donations (usually of smaller amounts of money) using technology. They include tap-to-donate, rounding up transactions and donating by text message. Often, a fundraiser does not need to be present for convenience giving.

corporate partner

A commercial organisation which provides money, skills or other resources to a charitable institution. If a corporate partner carries out a fundraising activity, it may fall within the definition of a third-party fundraiser or a fundraising partner (or both).

crowdfunding

Raising money for a charitable, philanthropic or benevolent purpose in a way that is not directly linked to a charitable institution's bank account.

The money may be passed on to a charitable institution, or may be used for a personal cause, such as helping a friend or relative with medical expenses.

direct marketing

Fundraising requests and advertising sent to a particular person. Examples include emails, letters and leaflets.

donation

A gift of money or other property that is voluntarily given and accepted without expecting or receiving something in return.

donor

A person or organisation who gives a donation to a charitable institution.

door-to-door fundraising

Collecting money or other property for charitable, philanthropic or benevolent purposes by going door to door at residential or business properties.

due diligence

Checks made by a charitable institution to assess the risk to their reputation or finances when considering accepting a donation or working with a specific organisation or person.

enclosures

Items or materials included inside direct marketing sent by post.

Examples include:

- thank-you gifts;
 - incentives to donate; and
 - information about the work of the charitable institution.
-

executor

A person or organisation legally responsible for carrying out the wishes a testator has set out in their will.

exemption order

In England, Wales and Northern Ireland, an order which allows organisations to carry out door-to-door collections without individual licences from a licensing authority. In Scotland, exemption orders also apply to street collections.

exempt charity

A charity (such as a university) that is charitable under English law but is not required to register with the Charity Commission.

financial benefit

Benefits (such as tax relief) that a donor receives as a result of making a donation.

free draw

A competition which:

- is completely free to enter; or
- has free and paid entry methods.

If a free draw has both free and paid entry methods, the system for allocating prizes must not distinguish between the two.

fulfilment house

An organisation that collects or processes (or both) donations on behalf of a charitable institution.

fundraiser

A person who asks for money or other property for a charitable institution or for charitable, benevolent or philanthropic purposes. Fundraisers may be on-behalf-of volunteers, trustees, employed by a charitable institution or employed by a fundraising partner (or its subcontractor).

An in-aid-of volunteer is not considered a fundraiser for the purposes of the code.

fundraising

Asking for money or other property for charitable, benevolent or philanthropic purposes.

fundraising communications

Communications that encourage people to donate, contribute to or take part in fundraising. This includes:

- advertising and marketing communications;
 - information on online fundraising pages;
 - information provided during face-to-face and remote conversations (such as phone calls) with potential donors; and
 - information provided to people who are considering taking part in challenge events.
-

fundraising partner

An organisation or person who has a formal agreement with a charitable institution to fundraise on its behalf. Fundraising partners may be professional fundraisers or commercial participators.

The term fundraising partner includes subcontractors of fundraising partners and people employed by a fundraising partner (or a subcontractor).

Fundraising Preference Service

A service we run to allow people to ask specific charities to stop contacting them with direct marketing.

Gift Aid

A scheme managed by HMRC, which allows registered charities to claim tax back on eligible donations by UK taxpayers.

governing body

The body responsible for making sure a charitable institution is run effectively and meets the purposes set out in its governing document. Names used for governing bodies include board, management committee, council, trustees and governors.

grant-making body

An organisation that provides funding (known as a grant) to another organisation to carry out particular charitable, philanthropic or benevolent purposes that have been agreed between both organisations.

in-aid-of volunteer

A volunteer who has not been asked or instructed to fundraise by the charitable institution they are collecting donations for.

For more information, please see our [**guidance on volunteers**](#).

lawful basis

A legal reason that allows an organisation to process personal data. The Information Commissioner's Office defines the [**six lawful bases**](#).

legacy

A gift left to a charitable institution by a person in their will.

legitimate interest

One of the six legal reasons (lawful bases) that allows an organisation to process personal data. The Information Commissioner's Office defines the [**six lawful bases**](#).

licensing authority

The body with the legal power to issue licences for door-to-door and street collections.

Mailing Preference Service (MPS)

A service which allows people to request that they do not receive direct marketing they have not asked for or agreed to receive to their postal address.

model regulations

England and Wales only

Regulations which apply to street collections for money and which are set out in the Charitable Collections (Transitional Provisions) Order 1974. Many, but not all, licensing authorities follow the model regulations.

It is generally accepted that the model regulations do not apply to street collections which ask people to sign up to make regular donations by direct debit.

monitoring

Checks made by a charitable institution to make sure their fundraising partners are behaving responsibly and in line with the terms of their agreements.

on-behalf-of volunteer

A volunteer who has been asked or instructed to fundraise for a charitable institution.

For more information, please see our [guidance on volunteers](#).

online fundraising platform

Websites and apps which allow charitable institutions, people and businesses to crowdfund for charitable, philanthropic or benevolent purposes.

Many online fundraising platforms also allow people to raise money for personal causes, but this activity is not covered by the code.

online content

Information, other than advertising, from charitable institutions about their fundraising activity that appears in online spaces they control, such as their websites and social media pages.

opt in

Where a person gives consent by showing, through a clear positive action (for example, by ticking an unticked box), that they want a particular organisation or group of organisations to contact them.

opt out

Where a person asks not to receive communications from a particular organisation or group of organisations (either to stop receiving any communications or just those sent by a specific communication method).

Payroll Giving

A way of giving money through the Pay As You Earn (PAYE) system from someone's wages or pension to charity without paying tax on it. Payroll Giving is sometimes called 'give as you earn' or 'workplace giving'.

Payroll Giving agency

A charity recognised by HMRC for the purpose of handling Payroll Giving.

personal data

Information or data which can be used to directly or indirectly identify a living person.

The Information Commissioner's Office provides [more details on personal data](#).

prize competition

A competition which requires a level of knowledge, judgement or skill that will prevent a significant proportion of people from entering or winning a prize.

private land

Land which is privately owned. This may include land which members of the public have access to, such as shopping centres.

private site

A site on private land for which there is an agreement with the property owner or manager which allows fundraising to take place. If an agreement is in place, it usually applies to commercially owned land which members of the public have access to, such as shopping centres.

proceeds

All money and all other property given in response to an appeal.

processing (personal data)

Any action you take with someone's personal data. This includes organising, restructuring and updating it. Simply holding someone's data counts as processing even if you don't do anything else with it.

processing fee

A fee paid to a fundraising partner to process a donation to a charitable institution. This does not include standard transaction fees, such as card processing fees.

professional fundraiser

A person carrying on a fundraising business or (with some exclusions) any other person who gets paid to raise funds for the benefit of a charitable institution. This is a legal definition set out in [section 58 of the Charities Act 1992](#) and [section 79 of the Charities and Trustee Investment \(Scotland\) Act 2005](#).

Commercial participators and connected companies are not professional fundraisers.

professional fundraising organisation

An organisation that works with businesses and charities to promote Payroll Giving in the workplace.

public charitable collection

A collection for charitable, philanthropic or benevolent purposes carried out on the street, in a public place or door to door.

public place

England and Wales

Any highway or any other place which, at the time of the fundraising, members of the public are allowed access to and which is not in a building (other than public areas in stations, airports, shopping precincts or similar). It does not include any place which the public can only access with a ticket or after paying an entrance fee, or as a result of permission being given for the fundraising.

Scotland

Any place (whether a main road or route or not) which members of the public have unrestricted access to. It includes the doorways or entrances of premises next to the public place and any shared passageway, close, court, stairs, garden or yard relevant to any tenement or group of separately owned houses.

Northern Ireland

Any street, road or highway and any place which, at the time of the fundraising, all or some members of the public have access to. This can be because they have a public right to be there, because they have paid an entrance fee or because they have been given permission (direct or otherwise).

QR code (quick response code)

An image which can be scanned by a mobile device to direct users to a specific website or app. QR codes can be used to take potential donors straight to a donation site or a page containing more information about a charitable institution.

registered charity

An organisation registered with:

- the Charity Commission for England and Wales;
 - the Scottish Charity Regulator; or
 - the Charity Commission for Northern Ireland.
-

relevant authority

The person or organisation which a charitable institution or a third-party fundraiser needs to apply to for permission or a licence to fundraise. For fundraising on public land, the relevant authority will be the relevant licensing authority. For fundraising on private land, it will usually be the site owner or manager.

restricted purpose

When a charitable institution asks for donations for a specific project or piece of work (for example, to buy a piece of medical equipment or fix a church roof).

round-up

A fundraising approach where businesses allow customers to choose to round up their bill or payment (for example, to the nearest £1 or £10), and donate the additional amount to a charitable institution.

sealed collection box

A sealed container used by fundraisers to collect cash donations. These are usually returned to the charitable institution so they can be reused.

Self-assembly boxes provided to in-aid-of volunteers and open containers with branded stickers are not considered sealed collection boxes.

solicitation statement

Statements that professional fundraisers and commercial participators (and those employed by them) must make by law when fundraising for a charitable institution.

Trustees, officers and staff of charitable institutions must also make solicitation statements if they are fundraising on behalf of their institution and being paid above a certain amount.

sponsorship form

A form where a donor agrees to donate through an in-aid-of or on-behalf-of volunteer. These donations are often made on the condition that the volunteer completes a challenge event.

static collection

A collection using collecting boxes which stay in one place – either on the floor or on counters in places such as shops, pubs, hotels, hospitals and reception areas.

street

England and Wales, and Northern Ireland

Includes any highway, public bridge, road, lane, footpath, square, court, alley or passageway, whether or not this is a main road or route.

Scotland

Has the same meaning as ‘public place (Scotland)’.

street collections

Collections of money or other property made on a street for charitable, philanthropic or benevolent purposes.

tap-to-donate

A method of making electronic donations of a specific amount to a charitable institution using contactless payment tools (such as a debit card or mobile phone).

This could be on the institution’s own premises (such as in a museum or stately home) or at a separate location.

Telephone Preference Service (TPS)

A service which allows people and businesses to request they do not receive live sales and marketing calls that they have not asked for or agreed to receive. This includes fundraising calls.

testator

Someone who makes a will.

third-party fundraiser

Organisations or people that a charitable institution has authorised to fundraise on its behalf. They may be on-behalf-of volunteers, professional fundraisers, fundraising partners, commercial participators or corporate partners.

unstaffed collection

Methods of donating money or other property which do not need a fundraiser to be present.

unsubscribe

To cancel a subscription to a service or communication.

virtual events

Fundraising events which take place fully or partly online. Examples include video quizzes and live-streamed gaming marathons.

volunteer

A person who, without payment or other significant benefit (not including expenses), raises money or is involved in a fundraising activity for a charitable institution. See also in-aid-of volunteer and on-behalf-of volunteer.

vulnerable circumstances

A state in which a person is especially susceptible to harm due to their personal circumstances. Vulnerable circumstances can vary from day-to-day, which may affect the person's behaviour or decisions and means that a flexible response is needed.
