

# GUIDANCE FOR FUNDRAISERS: NO COLD CALLING STICKERS

## Part One: Introduction and overview

Door-to-Door fundraising provides a vital source of funds for many organisations. It can involve anything from one-off collections for cash and goods, regular gift (direct debit) commitments and lottery ticket sales and may be carried out by volunteers, charity employees and professional fundraisers.

Fundraisers always have to be conscious of how they ask for money, whatever the method. An absolutely essential element of that is striking a balance between the valid and fundamental need for fundraisers to ask for donations while respecting the wishes and preferences of individuals.

It is inevitable that fundraisers will experience situations while fundraising at the door where individuals have expressed preferences not to be contacted. There will also be times when fundraisers inadvertently approach people who do not want to be approached even though they have not explicitly expressed that preference. We have produced this guidance to help fundraisers recognise those situations and provide practical advice on the appropriate actions they should take. If you have comments or ideas on how this guidance could be improved or other areas it should cover, please do let us know at [policy@institute-of-fundraising.org.uk](mailto:policy@institute-of-fundraising.org.uk).

### **What are the general rules that fundraisers should follow?**

All of IoF's Individual and Organisational members, as well as our Corporate Supporters, have committed to follow the Code of Fundraising Practice. The rules set within it outline the behaviour that is expected of fundraisers and form the basis upon which the Fundraising Standards Board (FRSB) can investigate and adjudicate complaints about fundraising practice.

This guidance is intended to help and support door to door fundraisers to identify situations when they should not approach a particular household. However, there will of course be situations and circumstances which are not covered in the guidance and where fundraisers will need to use their discretion and best judgement to act appropriately in the best interests of the individual, keeping in mind the values of the Code that all fundraising should be 'legal, open, honest, and respectful'.

## Part Two: 'No Cold Calling' Stickers

### Rules specifically related to door stickers

There are a variety of different types of door sticker; some originate from Local Authorities, Trading Standards or the Police, while others have either been purchased or produced by residents themselves. They could possibly be placed in a variety of places at the entrance to a property; for example on the front door, window or porch. Fundraisers should take all reasonable steps to look for stickers or signs to inform a decision as to whether they should knock.

There are two specific clauses in the Code which relate to door stickers, 16.10 (s) and 16.10 (c).

The IoF's Code of Practice states in Section 16 on Public Collections at 16.10 (s) that:

*"Fundraisers **MUST NOT** knock on any door of a property that displays a sticker or sign which includes the words 'No Cold Calling'."*

Stickers which include the words 'No cold calling' are caught by Section 16.10 (s) of the Code.

	<b>Approach with caution and sensitivity</b>	<b>Fundraiser MUST NOT knock</b>
No cold calling		✓

The IoF's Code of Practice states in Section 16 on Public Collections at 16.10 (c) that:

*"In England and Wales, for house to house collections, collectors **MUST NOT\*** 'importune any person to the annoyance of such person', or ignore a request to leave or a request not to return."*

*\*denotes legal requirement*

Stickers which include things like 'No doorstep callers', 'No calling without appointment' and 'No charity fundraisers' are not technically caught by Section 16.10 (s) because they don't include the words 'No cold calling'. However, it is IoF's interpretation that such stickers should be viewed in the same way as those that say 'no cold calling' as we believe they represent a clear request from the resident that they do not want to be approached. Therefore fundraisers **MUST NOT** knock on doors displaying the following stickers with the following wording:

NB – there may be stickers that do not have the exact wording as the examples below. However, similar wording on any stickers (such as 'please do not approach') should be taken as being within the requirements of section 16.10	<b>Approach with caution and sensitivity</b>	<b>Fundraiser MUST NOT knock</b>
No doorstep callers		✓
No calling without appointment		✓
No charity fundraisers		✓

Stickers which detail a more specific request (or targeting a particular group) e.g. no salespeople, traders etc. do not fall within the requirements of section 16.10 as they do not give a clear indication that fundraisers should not approach. However, any display of stickers such as below should give fundraisers a clear signal that any approach should be made with caution and sensitivity.

	<b>Approach with caution and sensitivity</b>	<b>Must not knock</b>
No salespeople	✓	
No traders	✓	
No surveys	✓	
No religious groups	✓	
No junk mail	✓	
No canvassers	✓	
No hawkers	✓	

These Code requirements apply regardless of where or how the stickers or signs have been produced.

### **Part Three: How fundraisers can respond appropriately to individuals at the door**

Fundraisers should be able to be responsive to each individual, adapting his or her approach to suit the context, and conduct any fundraising with care as to any needs or requirements of the individual.

#### **What if I don't see a 'No Cold Calling' sticker?**

While all fundraisers should take care to look for a no cold calling sticker before knocking occasionally they can genuinely be missed, especially if a sign or sticker is obscured, or faded.

If a sticker is not seen and the resident reacts negatively as a consequence, the fundraiser should apologise, be respectful and leave immediately. In addition to this, there should be a clear process for how they can record that the residence must not be knocked again by them (or larger team) while in the area in future.

#### **What if there isn't a 'No Cold Calling' displayed?**

Fundraisers will occasionally come into contact with people at the door who would prefer not to have been approached. Any sign or indications that an individual is uncomfortable or unhappy about being approached should be picked up and acknowledged by the fundraiser who can then respond appropriately as above (i.e., apologise, be respectful, and leave). This should also be recorded by the fundraiser (and larger team) so that the house is not approached in the future.

### **Responding appropriately to an individual who may be in a vulnerable circumstance**

IoF has produced guidance - [Treating Donors Fairly](#) - which is a valuable resource in helping all charities and fundraisers to respond to the needs of people in vulnerable circumstances and help all donors make informed decisions. It has sections on:

- Identifying people who may be in a vulnerable circumstance
- When fundraisers shouldn't take donations
- Steps that fundraisers can take to help donors make an informed decision
- Whether donations can be returned
- Issues around mental capacity and power of attorney

### **Conduct of Approaches**

All fundraising must be undertaken according to the Code. However, as well as following specific rules, the fundraiser must take care to conduct themselves in a way that is appropriate and respectful.

**Examples of conduct that might be inappropriate could include:**

- Behaving in any way that does not take into account the clear preferences of an individual, for example refusing a request to leave or a request not to return.
- Behaving in any way that might reasonably cause members of the public to be or become excessively startled or anxious.
- Behaving in any way that might reasonably cause other passers-by in the immediate vicinity to be or become excessively startled or anxious.
- Behaving dishonestly or manipulatively (such as deliberately inducing guilty feelings)
- Behaving in a way that intends to mislead, exaggerate or be ambiguous.
- Behaving in any other way that a reasonable person might judge brings the charity they are representing into disrepute.

**Part Four: Key questions and issues**

**Q: How does all this relate to fundraising agencies or professional fundraisers?**

A: Where professional fundraisers or agencies solicit money and fundraise on behalf of a charity, the Code puts an obligation on the charity to require the fundraisers/agencies to comply with the IoF's Code of Practice requirements and the charity must also take reasonable steps to check and ensure that compliance:

*4.2 a) Organisations **MUST** require the adherence of third parties to the Code.*

*4.2 b) Organisations **MUST** make reasonable efforts to check and ensure the on-going compliance of third parties with the Code and their legal requirements.*

Fundraising organisations working with third parties and professional fundraisers are therefore required to ensure that all fundraising activity happens according to the rules. Charities will want to be confident that all fundraisers working for agencies or professional fundraising organisations act appropriately when fundraising on their behalf. This might involve stipulating that agencies have clear internal processes, for example how they train their staff or ensure they can record (and feed back to the

charity) that the residence must not be knocked again by them (or the larger team) while in the area in future.

**Q: What about internal procedures and staff training?**

A: Charities, fundraising agencies and professional fundraising agencies may want to develop their own internal guidance which covers issues covered in this document and make it specific to them. This could help to ensure consistency and appropriate fundraising activity.

Existing in-house inductions and training programmes that organisations have could include a section on this topic to help the charity ensure that their fundraisers are fundraising appropriately.

This training could focus on:

- Understanding the types of stickers and whether or not to approach
- Education on how to respond and deal with irate residents who, on occasion, do point out the sticker or complain that no one is to knock at their door
- Recognising residents in vulnerable circumstances - although this is part of wider training

**Q: Who does this apply to?**

A: Door to door fundraising can involve anything from one-off collections for cash and goods, regular gift (direct debit) commitments and lottery ticket sales and may be carried out by volunteers, charity employees, professional fundraisers and commercial participators. IoF interprets this Code requirement regarding 'No Cold Calling' stickers to be applicable to all of the above.

**Q: How does this relate to 'No Cold Calling Zones'?**

A: Many councils have designated certain, relatively small, areas as 'Cold Calling Control Zones' (CCCZs) or 'No Cold Calling Zones' (NCCZs).

The IoF Code is clear that:

*16.10 (r) If a "No Cold Calling Zone" has been created legitimately (i.e. within Trading Standards Institute guidelines), collectors **MUST NOT** cold call.*

If a zone does not meet the requirements above or fundraisers are unable to obtain the information, the fundraisers should nonetheless assess the risks of carrying out cold calling within the zone. This includes:

- Undertaking a reputational risk assessment
- Developing a previously-agreed policy on fundraising in CCCZ/NCCZs.
- Justifying the fundraising organisation's position
- Clarifying that any property which displays a 'No Cold Calling' sticker should not be approached under any circumstances regardless of whether it is in CCCZ/NCCZ or not
- Ensuring that fundraisers are clear that they must not ignore a request to leave or a request not to return

**Q: The sticker or sign looks old and damaged, and I think the resident might not have put it there themselves. Can I still knock?**

A: Even if a sticker or sign looks old and damaged, fundraisers cannot assume that a resident does not intend for it to be there and must not knock.

**Q: Can I still post a clothing collection bag or donation envelope through the door of a property that displays a 'No Cold Calling' sign or sticker?**

A: As you aren't knocking on the door of the property, a 'No Cold Calling' sticker or sign does not prohibit you from posting a clothing collection bags or donation envelopes through the door. It does, however, prohibit you from knocking on that to collection donations. It is best to provide details of how that resident can organise a collection appointment.

### **Appendix 1: The legal requirements relating to 'No Cold Calling' stickers**

As above, IoF's Code of Practice states in Section 16 on Public Collections at 16.10 (c) that:

*"In England and Wales, for house to house collections, collectors **MUST NOT**\* 'importune any person to the annoyance of such person', or ignore a request to leave or a request not to return."*

This refers to a legal requirement in England and Wales, where the law in this area stems from two different pieces of legislation:

The House to House Regulations 1947 (Regulation 9) state that "No collector shall importune any person to the annoyance of such person, or remain in, or at the door of, any house if requested to leave by any occupant thereof."

The Consumer Protection from Unfair Trading Regulations 2008 (Para 25 of the Schedule) prohibit the following practice "conducting personal visits to the consumer's home ignoring the consumer's request to leave or not to return, except in circumstances and to the extent justified to enforce a contractual obligation". Breach of this part of the regulations is a criminal offence.

There have not been any cases about whether a 'No Cold Calling' notice/sticker amounts to a "request to leave" or a "request not to return". However if a 'No Cold Calling' sticker is specifically addressed to charities/fundraisers, it is more likely to be regarded as a "request to leave" or a "request not to return". If fundraisers ignore prominent notices or signals from an individual that make it clear that fundraisers are 'requested to leave' then they risk breaching both sets of Regulations.

This means that fundraisers should have processes in place to check that they are not knocking on doors where the householder has previously asked a collector not to return. Such houses may not display a 'No Cold Calling' sticker, but it would be a breach of the 2008 regulations to return to that house again.