



City of London Corporation

POLICY and PROCEDURE

Charity Collections



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1. INTRODUCTION

- 1.1 Collecting money for charitable purposes is a common practice on the streets of the City of London particularly amongst volunteer collectors. Fundraising collections can be effective by offering a positive opportunity to the general public to actively participate in supporting fundraising organisations. They also give the opportunity for the supporters to raise funds for all sorts of fundraising organisations in an ethical and secure manner.
- 1.2 However, there are those persons who wish to abuse such situations and attempt to defraud the fundraising organisations and the general public out of money intended for the many various worthwhile causes.
- 1.3 This Policy will explain the legislative requirements in order for a charitable collection to be made and the procedure which needs to be followed. It will also explain the requirements in order to conduct collections accompanied by persons singing Christmas Carols and those persons wishing to conduct house to house collections.
- 1.4 The Policy will also explain the methods to be used in order to control face to face charitable street collections.
- 1.5 The Policy will be reviewed

2. DEFINITIONS

1916 Act: Police, Factories, Etc. (Miscellaneous Provisions) Act 1916

1939 Act: House to House Collections Act 1939

1947 Regulations: Regulations made under the 1939 Act re House to House collections.

1980 Regulations: Regulations made under the 1916 Act re street collections.

“Chief Promoter” means a Society, Committee or other body consisting of not less than three persons to which a permit for a street collection has been granted.

“Collecting box” means a box or other receptacle for the reception of money from contributors.

“Collection” means a collection of money in any street or public place within the City of London Police Area for the benefit of charitable or other purposes, and “collector” shall be construed accordingly. Does not include ‘face to face’ collections. Does not include a ‘collection’ taken on private land.

“Commissioner” means the Commissioner of Police for the City of London.

“Contributor” means a person who contributes to a collection for the benefit of charitable or other purposes.

Corporation, for the purposes of this document, shall mean the City of London’s Licensing Team.

F2F, or Face to Face collections, is the solicitation of a ‘one off’ or regular gift to charity by way of direct debit or standing order. No collection of cash is permitted.

House to House collections is the collection of money or goods for charity by going from house to house or business.

IoF means the Institute of Fundraising

“Permit” means a permit for a collection.

“Promoter” means a person authorised in that behalf by the Chief Promoter, who causes others to act as collectors.

‘Street’ is defined as including any highway and any public bridge, road, lane, footway, square, court, alley, or passage, whether a thoroughfare or not.

Street Collection shall have the same meaning as ‘collection’.

3. LEGISLATION

Street Charitable Collections (including carol singing)

- 3.1 The Licensing Authority of the City of London (the Court of Common Council) is empowered under Section 5 of the Police, Factories, Etc. (Miscellaneous

Provisions) Act 1916 to make regulations with respect to the places where, and the conditions under which, persons may be permitted in 'any street or public place' to collect money for charitable or other purposes.

- 3.2 One such set of Regulations have been made namely, the 1980 Regulations. These Regulations refer to actions to be taken by the Commissioner. Such actions have been delegated to the City Corporation's Licensing Team. A copy of the 1980 Regulations can be seen as Appendix 1 and the delegated authority as Appendix 2.
- 3.3 The 1980 Regulations create an offence of carrying out a charitable collection other than in accordance with the Regulations. Which essential means, 'IT IS ILLEGAL TO COLLECT MONEY FOR CHARITY ON THE STREETS OF THE CITY OF LONDON UNLESS A PERMIT OR CERTIFICATE HAS BEEN OBTAINED'.
- 3.4 In addition, a Memorandum of Understanding (MOU) has been agreed between the City of London Police and the Corporation of London's Licensing Team as to the enforcement of these Regulations (Appendix 3).

House to House collections

- 3.5 The Licensing Authority of the City of London (the Court of Common Council) is empowered under Section 2 of the House to House Collections Act 1939 to grant a licence for the promotion of a House to House Collection on receipt of the correctly completed application form.
- 3.6 The Secretary of State may make Regulations under the 1939 Act in order to regulate the manner in which house to house collections may be carried out. One such set of Regulations have been made namely, the 1947 Regulations.
- 3.7 A house to house collection is where an individual is permitted to go from house to house or business to business to collect money, or items or goods to be sold at a later stage, for the benefit of a charitable purpose. 'IT IS ILLEGAL TO CONDUCT SUCH A COLLECTION UNLESS THE REQUISITE LICENCE OR POLICE ISSUED CERTIFICATE HAS BEEN OBTAINED'.
- 3.8 A copy of the 1947 Regulations can be seen as Appendix 4. The MOU referred to in paragraph 3.4 also relates to house to house collections.

4. STREET CHARITABLE COLLECTIONS

Application:

- 4.1 No collection shall be made unless a permit has been obtained from the City Corporation's Licensing Team. Applications for a permit must be made on an application form identical to that attached to this policy as Appendix 5.
- 4.2 Applications must be received no later than the first day of the month preceding the month in which it is proposed to hold the collection. The Corporation may consider an application made later than this date if it is satisfied that there are special reasons for so doing.
- 4.3 Applications will be considered on a 'first come first served' basis. However, where possible, priority will be given to those organisations that have not held a collection in the preceding twelve months.
- 4.4 If the collection is to be held between the 1st and the 24th December priority will be given to those collections which are made in connection with the singing or playing of Christmas carols.
- 4.5 Permits will normally be granted for one day only and permit collections to be held on a Tuesday or a Friday. At its discretion the City Corporation may grant a permit in excess of one day. Should an applicant wish to hold a collection on another day of the week this will be at the discretion of the Corporation and take into account such factors as other events and collections taking place etc.
- 4.6 A fundraising organisation may obtain a permit to collect on more than one occasion per year. However, applications will not be considered more than twelve months in advance.
- 4.7 All applications must be made by a society, committee or other body consisting of not less than three members who will be jointly responsible for the collection.
- 4.8 The following information must be submitted with the application:
 - Literature about the organisation;
 - Copy of published accounts for the current year;

- Letter from the charitable organisation authorising you to undertake a collection on their behalf, if you are not an official of the charitable organisation in question.

4.9 All applications will be referred to the City of London Police to ensure all individuals jointly responsible for the application are fit and proper persons to hold the collection. In deciding whether to grant a permit the Corporation will have regard to any Police recommendations.

The Collection:

4.10 The collection may be limited to such areas, streets or public places as the Corporation thinks fit. The decision will be made on each application's individual merit and will take into consideration such things as other events taking place.

4.11 No collection shall be made in any part of the carriageway of any street unless the Corporation has authorised such a collection in connection with a procession.

4.12 Any person taking part in any collection must have authority to do so from the Chief Promoter. This can take the form of an authorisation badge.

4.13 While collecting a collector shall remain stationary, and no closer to another collector than 25m, unless the Corporation has waived these requirements in connection with an authorised collection in connection with a procession.

4.14 No collector shall be under the age of sixteen years unless in connection with a collection that has been authorised regards a procession. In these circumstances the Corporation may authorise the Chief Promoter to permit persons of less than sixteen years but not less than fourteen years so long as each young person is accompanied by an adult.

4.15 Every collector shall carry a sealed, numbered collection box (container). The box shall display the name of the charity which is to benefit from the collection.

4.16 No payment shall be made to any collector. No payment shall be made to any person in connection with the promotion or conduct of a collection unless specified in the application for a permit and approved by the Corporation.

Post Collection:

- 4.17 Within three months of the collection, the chief promoter shall forward to the Corporation a statement showing the following:
- The amount received and payments incurred in connection with the collection,
 - A list showing the names of the collectors,
 - A list showing the amounts contained in each collecting box.
- 4.18 The statement is to be signed by at least two of the Chief Promoters and a qualified accountant unless the sum raised is less than £400 in which case the need for a qualified accountant is not necessary.
- 4.19 The information required in paragraph 4.17 shall be made on the form attached as Appendix 6. The Corporation will not permit further collections to take place in the City of London unless the said information is supplied.
- 4.20 Unless the sum raised is less than £400 details of the collection are required to be published in a newspaper, a copy of which is to be sent to the Corporation within seven days of publication. However, where the sum raised is more than £400, but less than £1500, the required information can be sent to the Corporation for inclusion on their web site and advertised in any other way they think appropriate.

Carol Singing

- 4.21 During the period from the 1st to 24th December, in any calendar year, anyone wishing to conduct a collection that is being made in connection with the singing or playing of Christmas carols can only do so on receipt of a certificate. All applications must consist of 2 or more persons assembled together to sing and/or play Christmas carols.
- 4.22 Where a 'carol singing' certificate is being sought a collection permit is not required. A copy of the application form to be used for a 'carol singing' certificate can be seen as Appendix 7.
- 4.23 Section four shall apply to carol singing collections as they do to other street collections.

5. HOUSE TO HOUSE COLLECTIONS

- 5.1 No person shall conduct a house to house collection for a charitable purpose unless there is in force a licence authorising such a collection.
- 5.2 Paragraph 5.1 shall not apply where the charitable organisation conducting the house to house collection have been exempted by way of an Order made by the Secretary of State. The following link shows charities who currently hold such an exemption:

[Exempted Charities¹](#)

- 5.3 Applicants must apply for a licence on an application form identical to that in the 1947 Regulations and returned to the Corporation along with supporting information requested. A licence can be granted for a period of no longer than twelve months.
- 5.4 All applications will be referred to the City of London Police to ensure that the applicant(s) are fit and proper persons to hold the house to house collection.
- 5.5 The Commissioner can, if satisfied that a house to house collection is to be completed within a short period of time (under one month) and is satisfied that the purpose of the collection is local in character, grant a certificate to the person responsible for the promotion of the house to house collection. Under these circumstances a licence from the Local Authority is not required.

6. F2F FUNDRAISING

- 6.1 Face to face fundraising is where members of the public are signed up to commit gifts by direct debits and/or standing orders in public places. No cash is permitted to be donated. Cheques are considered to be cash.
- 6.2 This type of collection DOES NOT fall within the scope of the 1916 Act and therefore DOES NOT require a permit from the Corporation.
- 6.3 The actions of F2F collecting organisations are overseen by The Fundraising Regulator who is an independent regulator of charitable fundraising set up in 2015.

6.4 F2F collecting organisations are expected to comply with the standards laid down in the Code of Fundraising Practice and its associated Rulebooks for Street and Door Fundraising. This is a self-regulating form of compliance. Further information can be obtained by clicking on the following link [Regulation and Compliance](#).ⁱⁱ

6.5 Breaches of the Code of Fundraising Practice and associated Rule Books by registered charities will be reported to the Fundraising Regulator. Non-registered charities will be reported to the City of London Police.

7. CONTACT DETAILS

7.1 Anybody wishing to contact the Licensing Authority with regard to this Policy can do so by telephoning 020 7332 3406, emailing licensing@cityoflondon.gov.uk or by accessing our website by clicking the following link '[charity information](#)'ⁱⁱⁱ where copies of the application forms can be downloaded.

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- i. ([https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/488076/List of National Exemption Order Holders.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/488076/List_of_National_Exemption_Order_Holders.pdf))
 - ii. <https://www.institute-of-fundraising.org.uk/regulation-and-compliance/>
 - iii. <https://www.cityoflondon.gov.uk/business/licensing/charity-collections/Pages/House-to-House-Collections.aspx>