

17.0 Static Collections

Note: **MUST*** and **MUST NOT*** (with asterisk) denotes legal requirement

MUST and **MUST NOT** (without asterisk) denotes requirement of the Code of Fundraising Practice

17.1 Legal References for this Section

- General Charity law principles
- [Charities Act 1992](#)

17.2 Introduction

The most common form of collection appeals undertaken outside the requirements of existing legislation governing public collecting activity are appeals involving the use of static collecting boxes – either floor standing or on counters in shops, pubs, hotels, hospitals, reception areas etc.

In Northern Ireland there is no specific legislation which applies but it is good practice to follow the rules applying in the rest of the United Kingdom.

Organisers of static collections

Organisers of static collections are those who hold primary responsibility for the collection. They have responsibility for ensuring that adequate permission for the collection is obtained, that they and any other collectors they have issued authority to can evidence this sufficiently where required; and that all collectors can be clearly identified.

17.3 Responsibilities of Organisers of static collections

a) In advance of any collection, the organiser **MUST*** obtain the permission of the site owner or those with authority to grant permission to hold a static collection on the premises. The permission **MUST** be in writing.

b) Organisers of a static collection **MUST** issue a letter, certificate of authority or badge to any collectors. Specific requirements for different categories of collector are as follows:

i) those collectors who are directly employed by the organisation benefitting or who are acting as ‘**on behalf of**’ volunteers ([see 2.2.1.2 Distinguishing ‘on Behalf of’ and ‘in Aid of’ Volunteers](#)) **MUST** include:

- the collector’s name;
- the name and contact details of the organisation benefitting from the collection; and
- the name of the organiser (if different to collector or organisation benefitting)

ii) those collectors working for an **agency or company** on behalf of the organisation benefitting **MUST** include:

- the collector’s name;
- the name and contact details of the agency or company; and
- the name and contact details of the organisation benefitting from the collection

iii) those collectors who are ‘**in aid of**’ volunteers’ ([see 2.2.1.2 Distinguishing ‘on Behalf of’ and ‘in Aid of’ Volunteers](#)) **MUST** include:

- the collector’s name;
- their own contact details;
- the name of the organisation benefitting from the collection; and
- the name of the organiser if different to the collector.
- ‘in aid of’ volunteers should also be able to provide a second form of identification such as a passport or driver’s license to assist in verifying their identity on request.

c) Organisers **MUST*** comply with current data protection law regarding any collection, storage and processing of collector's personal data, including for the purpose of issuing a letter, certificate of authority or badge.

d) Organisers **MUST** provide clear collection guidance and procedures for collectors to follow.

e) Organisers **MUST** make all reasonable efforts to retrieve certificates of authority/badges and collection boxes from individuals where they have ceased to act as a collector, or are no longer deemed fit to collect by the organiser or the organisation they have been collecting for.

17.4 Collectors' Responsibilities

a) The collector (if different from the organiser of the collection) **MUST** ensure that the organiser has obtained permission to conduct the collection.

b) Collectors **MUST** possess a letter, certificate of authority or badge as specified in section 17.3 b.

c) The certificate of authority **MUST** be shown to the site owner or those with authority to grant permission to hold a static collection on the premises.

d) Collectors **MUST** make it clear to site owners or those holding a static collection on the premises, that if a box is lost or stolen or if they want to end the collection, that they need to contact the collector or the organiser of the collection, preferably in writing.

17.5 Appearance and Maintenance of Collection Boxes

Where the management of static collection boxes is undertaken on behalf of charities or other voluntary organisations by third parties who receive reward for this activity and who solicit in connection with it, it is important that all parties concerned with the static collection box activity are aware of their responsibilities and obligations under [Part II of the Charities Act 1992](#) or [Part 2 of the Charities and Trustee Investment \(Scotland\) Act 2005](#).

a) In England and Wales, all notices, advertisements and other documents issued by, or on behalf of a registered charity with an annual income in excess of £10,000 and which, in any way, seeks support for the registered charity, **MUST*** include a statement [that the charity is a registered charity](#).

b) In Scotland, most notices, advertisements and documents (including any document soliciting money or other property) sent by, or on behalf of, any charity in the Scottish Charity Register **MUST*** include the charity's registered name, any other name by which it is commonly known, the fact that it is a charity (if its name does not already include reference to its charitable status) and its registered Scottish charity number.

17.6 Collecting and Sending Donations to the Organisations

a) If the collector is a professional fundraiser, all monies **MUST*** be returned to the promoter/organisation without deductions of fees or expenses as soon as is reasonably practicable.

b) If it is not practical for the collector to open and count collecting boxes, organisations **MUST** have robust procedures and instructions for siteholders to count, record and bank/deliver proceeds.

c) If desired, siteholders **MUST** be provided with a receipt that contains the address of the site, the box number, the date and the amount collected. The collector **MUST** send the organisation the full sum of all monies taken from all boxes without deduction of expenses or fees, unless specifically agreed.

d) Fundraising organisations and promoters **MUST** keep separate records of income raised, and expenses/fees for maintenance and administration.

There is more information about static collections in the Institute of Fundraising's [Management of Static Collection Points guidance](#).