

**BBC CHILDREN IN NEED'S FUNDRAISING POLICY FOR  
COMMERCIAL PARTICIPATORS AND PROFESSIONAL FUNDRAISERS**

BBC Children in Need (“we”, “us” or “our”) is committed to being a responsible charity and to ensuring that any fundraising carried out on our behalf is legal, open, honest and respectful and does not cause undue pressure or intrusion on donors.

The objectives of this Policy are to set out a clear statement of our policy and to promote the adoption and improvement of responsible fundraising practices within the UK. We expect our fundraising partners, commercial participators and professional fundraisers (“you”, “your”) to observe this Fundraising Policy and to demonstrate a similar commitment to responsible fundraising.

This Fundraising Policy is in addition, and without prejudice, to any obligations set out in any fundraising contract between us and you. The terms of such fundraising contract shall prevail over this Fundraising Policy in the event of any conflict.

**The Fundraising Policy – Core Requirements**

As a charity we are regulated by the Fundraising Regulator and agree to abide by Institute of Fundraising’s Code of Fundraising Practice (at [www.institute-of-fundraising.org.uk/code-of-fundraising-practice/](http://www.institute-of-fundraising.org.uk/code-of-fundraising-practice/) as may be updated, (“Code of Fundraising Practice”)) and the principles set out in the Fundraising Regulator’s “Fundraising Promise” (at [www.fundraisingregulator.org.uk/wp-content/uploads/2016/10/Fundraising-promise-v3.pdf](http://www.fundraisingregulator.org.uk/wp-content/uploads/2016/10/Fundraising-promise-v3.pdf) as may be updated (“Fundraising Promise”)).

You acknowledge that this Agreement is subject to the Charities Act 1992 as amended by Section 13 of the Charities (Protection and Social Investment) Act 2016 and undertake to comply with the 2016 Act at all times. In particular, you shall:

- comply with any guidance on the 2016 Act issued by the Fundraising Regulator, the Cabinet Office and/or the Charity Commission from time to time;
- be bound by and comply in full with the Fundraising Code to the extent applicable and in particular Section 12;
- not engage in any activity which may, in the reasonable opinion of the Charity:
  - result in any unreasonable intrusion on any person’s privacy; or
  - involve unreasonably persistent approaches to any person for the purpose of soliciting or otherwise procuring money; or
  - place undue pressure on any person to give money.

As our partner, when you are fundraising for us you must:

- comply with the Code of Fundraising Practice and the principles of the Fundraising Promise (to the extent applicable to your fundraising);
- not carry out any behaviour which is unreasonably intrusive on a person’s privacy or places undue pressure on a person to give money or other property;
- not make unreasonably persistent approaches for the purpose of soliciting or procuring money or other property;
- not act manipulatively, aggressively or deliberately seek to make a potential donor feel guilty;
- comply with any guidance we issue on dealing with vulnerable people;
- respect a donor’s request regarding the frequency of contact and not bombard a potential donor with requests for donations;

- not exploit the credulity, lack of knowledge, apparent need for care and support or vulnerable circumstances of a donor; and
- promptly notify us if an individual asks for a refund of their donation so that we can ensure it is dealt with appropriately.

When dealing with donors, you should be alert to indicators that they require additional support. Please take reasonable steps to ensure that they are equipped with the information they need to make a decision and that they understand the information being given to them and their donation. If you know or have reason to believe that an individual lacks capacity to make a decision to donate, you should not accept a donation from them. If you have any concerns about a particular circumstance or require further guidance then please speak to us.

### **Telephone Fundraising and Collections**

You must not undertake telephone fundraising, public collections or door-to-door collections in aid of us without our permission.

Where we provide such permission, in carrying out such telephone fundraising or collections, you must:

- identify yourself and on whose behalf you are calling or collecting (if applicable);
- terminate any conversation with a potential donor where asked to do so;
- not deliberately obstruct a member of the public, for example by purposefully impeding a pedestrian's progress on the street or preventing a homeowner from shutting their door; and
- not approach a member of the public in a queue or at a pedestrian crossing.

### **Donor's data**

If you collect or process any personal data (as defined in the Data Protection Act 1998 and after 25 May 2018, the General Data Protection Regulation 2016 (and any re-enactment, amendment or replacement of such legislation)) relating to donors or potential donors in connection with any fundraising for us you shall comply with all relevant privacy legislation in the handling or use of such data which will require you to (amongst other things):

- not share any donor personal data for payment with any other organisation for that organisation's marketing or fundraising purposes;
- comply with any duty of confidentiality owed to individuals and their data;
- respect the contact preferences of individuals as expressed through registration with the Telephone Preference Service, the Mail Preference Service and the Fundraising Preference Service (where applicable) or in any communications between the donor, us and you; and
- on collecting any personal data of donors, make it clear the purposes for which their data will be held and whether any disclosures to third parties will be made and other information required to be given by Data Protection Act 1998 and after 25 May 2018, the General Data Protection Regulation 2016 (and any re-enactment, amendment or replacement of such legislation);
- not share the personal data with us, unless we have an addition suitable written agreement in place;
- ensure that all consents required by law have been obtained before sending any direct marketing or fundraising materials to an individual.

### **Monitoring**

We want to monitor compliance with this Policy to ensure that it is effective and working to protect our donors. To help us to do so, you must:

- notify us promptly if you receive a complaint from an individual about your fundraising activity or Promotion and comply with our reasonable instructions when dealing with such complaint;
- notify us promptly if you fail to comply with the Fundraising Code; and

- cooperate with us and provide such reasonable information and assistance as we may require to check your compliance with this Policy; for example, providing us with details of your fundraising activities and allowing us to inspect or attend such activities.

You are responsible for ensuring that your staff and contractors that fundraise for us on your behalf are aware of and comply with this Policy. You must maintain evidence to demonstrate that such staff have been made aware of this Policy and provide such to us if we reasonably request it.

### **Compliance**

If we reasonably believe that you are in breach of this Policy, or that any of your fundraising activities may be unreasonably intrusive on a person's privacy, place undue pressure on a person to give money or property or constitute an unreasonably persistent approach to solicit money or property, you shall:

- work with us and take all appropriate remedial actions as we reasonably request to address the area(s) of concern; and/or
- comply with any request from us to suspend or cease any particular fundraising activity (whether in respect of an individual donor or otherwise).

Without prejudice to any other remedies we may have, if you breach this Policy and fail to remedy such breach within 30 days of being requested to do so, we may terminate any fundraising contract or relationship with you immediately upon written notice.

