



WYCOMBE DISTRICT COUNCIL

HOUSE TO HOUSE COLLECTIONS

POLICY

01 JANUARY 2014

1. Introduction

House to House collections are governed by the House to House Collections Act 1939 and the House to House Collections Regulations 1947, as amended.

As a general rule, house to house collections for charitable, benevolent or philanthropic purposes, whether or not the purpose is charitable within the meaning of the rule of law are required to be licensed by the authority.

The definition of 'collection' extends beyond requests for money, to include the sale of magazines, requests for unwanted clothing and household items, visits to persuade persons to buy goods etc, where any part of the proceeds may go to charity.

The only exception to the general rule is organisations that have been granted an Exemption Certificate by the Home Office under the provisions of the House to House Collections Act 1939. This Certificate allows an organisation to collect in the District without applying for a licence. The organisation must inform the authority of the dates and areas of any planned collections.

2. Aims

In producing this policy the aims of the licensing authority are to:

- Safeguard the interests of both public donors and beneficiaries;
- Facilitate well organised collections by bona fide charitable institutions and to ensure that good standards are met, and;
- Prevent unlicensed collections from taking place.

3. Objectives

In order to achieve its aims, the licensing authority has identified the major issues and sought to tackle them through this policy with the intention of:

- Ensuring impartiality and fairness in determining applications;
- Accommodating all eligible requests, subject to capacity, and bearing in mind that certain days and locations are especially sought after;
- Providing equality of opportunity for collectors;
- Avoiding undue nuisance to the public;
- Setting fair maximum limits for individual applicants;
- Achieving a fair balance between local and national causes;

The licensing authority recommends that all organisations adhere to the Institute of Fundraising's Code of Fundraising Practice. A copy of this code of practice can be found at www.institute-of-fundraising.org.uk

4. General Principles

Wherever possible, two organisations shall not be permitted to collect in the same area on the same day. Applications will be dealt with on a first come first served basis.

In general, organisations shall not be permitted to hold more than two collections throughout the District or part thereof during one calendar year.

To avoid the prospect of multiple collections being made in any one day, the Council will not grant licences for a period of longer than 14 days.

Applications will only be accepted for charitable collections to be held in the current or next calendar year.

A declaration will be required from the benefitting charity confirming either that a proper balance has been achieved between costs and the amount going to charitable objects (where collections are carried out by the charity itself) or that the charity has carried out due diligence and is satisfied with the level of remuneration going to charitable objects (where collections are carried out by commercial organisations on behalf of the charity).

The applicant must forward a financial return form to the authority within one month of the date of collection showing details of the monies collected. No licence will be issued to any applicant that has failed to forward the financial return form in respect of any previous collection.

5. Application Process

N.B. Failure to complete the application form and / or provide all requested information is likely to lead in a delay in processing your application.

1. Applications for a House to House Collection licence must be submitted to Wycombe District Council (the Council) a minimum of 30 days before the proposed collection date. Any application received less than 30 days before the proposed collection is likely to be refused, although the Council may, at its discretion, make exceptions in response to National or International disaster.
2. Collection dates cannot be reserved and dates will only be allocated once a valid application has been received and determined.
3. Unless a National Exemption Order is held, each application may only apply to one collection area at any time and each proposed collection must be submitted on a separate form.
4. A map defining collection areas is attached to this policy at Appendix B. The main collection areas are: Abbey (High Wycombe town centre), Marlow South East and Marlow North and West (for the purposes of this policy these are treated as one collection area known as Marlow town centre) and The

Risboroughs. The areas within which specific roads or postcodes are located can be established via <http://mywycombe.wycombe.gov.uk>.

5. The Council will only issue any House to House permit for a maximum of 14 days.
6. If the requested dates are not available the Council will propose alternative dates.
7. Collections are not permitted on any Sunday or bank holiday without prior written consent of the Council. On any other day collections are generally only permitted between 09:00 and 19:00 unless they have been previously authorised in writing by the Council. Such authorisation will only be given for specific events or in exceptional circumstances.
8. Any future application from either a charity and / or an individual will only be considered following receipt of a satisfactory, certified return for a previous collection.
9. National charities such as the Royal British Legion Poppy Appeal shall take precedence for available diary dates.
10. Charities holding a National Exemption Order issued by the Secretary of State may collect throughout Wycombe district.
11. There is a right to appeal the refusal or revocation of a licence to the Secretary of State within 14 days from the date on which notice of the refusal or the revocation is given.
12. Collector badges and certificates of authorisation must be obtained from Her Majesty's Stationery Office and displayed in accordance with the Regulations.
13. The Council expects promoters and collectors to comply with the Institute of Fundraising 'House to House Code of Fundraising Practice'.
14. Tacit consent does not apply to this type of application because it is in the public interest that the authority must process and determine an application before a permit can be issued. If you have not received a response from the Council within 28 days of your application, please contact us.
15. The Council reserves the right to make more detailed enquiries about an application in certain circumstances. This could include a request that applicants or any other person connected with the organisation submit appropriate police checks.
16. The Council has approved Regulations in respect of House to House Collections which are laid out at Appendix A to this document.

6. Supporting Information

The following information will be required to be submitted with a completed application form:

1. A specimen of the charity bag or leaflet you propose to use;
2. Where applicable, a letter of authorisation from the charity head office confirming that the applicant is authorised to conduct a House to House collection on their behalf;
3. A signed statement of due diligence; or
4. A copy of the contract / agreement between the charity and the applicant's organisation;
5. A copy of the company's Waste Carriers Certificate
6. A copy of the full accounts for the most recent completed fiscal year showing how much:
 - i. gross income was made from sales of collected clothes or other property; and
 - ii. was directly provided to any named charities.

APPENDIX A

House to House Collections, England

Statutory Rules and Orders

1947 No 2662

Extract of Regulations (Numbered as per Regulations)

5. Every promoter of a collection shall exercise all due diligence:-
 - (a) to secure that persons authorised to act as collectors for the purposes of the collection are fit and proper persons; and
 - (b) to secure compliance on the part of persons so authorised with the provisions of these regulations.
6. (1) No promoter of a collection shall permit any person to act as a collector, unless he has issued or caused to be issued to that person:-
 - (a) a prescribed certificate of authority duly completed (except as regards the signature of the collector) and signed by or on behalf of the chief promoter of the collection;
 - (b) a prescribed badge, having inserted therein or annexed thereto a general indication of the purpose of the collection; and
 - (c) if money is to be collected, a collection box or receipt book marked with a clear indication of the purpose of the collection and a distinguishing number, which indication and number shall, in the case of a receipt book, also be marked on every receipt contained therein in addition to the consecutive number of the receipt.
- . (2) Every promoter of a collection shall exercise all due diligence to secure:-
 - (a) that no prescribed certificate of authority, prescribed badge, collecting box or receipt book is issued, unless the name and address of the collector to whom it is issued have been entered on a list showing in respect of any collecting box or receipt book the distinguishing number thereof; and
 - (b) that every prescribed certificate of authority, prescribed badge, collecting box or receipt book issued by him or on his behalf is returned when the collection is completed or when for any other reason a collector ceases to act as such.
- (3) In the case of a collection in respect of which a licence has been granted:-
 - (a) every prescribed certificate of authority shall be given on a form obtained

from Her Majesty's Stationery Office, and every prescribed badge shall be so obtained; and

(b) every prescribed certificate of authority shall be authenticated, and the general indication on every prescribed badge of the purpose of the collection shall be inserted therein or annexed thereto, in a manner approved by the District Secretary for the area in respect of which the licence was granted.

7. Every collector shall:-

(a) sign his name on the prescribed certificate of authority issues to him and produce it on the demand of any police constable or of any occupant of a house visited by him for the purpose of collection;

(b) sign his name on the prescribed badge issued to him and wear the badge prominently whenever he is engaged in collecting; and

(c) keep such certificate and badge in his possession and return them to a promoter of the collection on replacement thereof or when the collection is completed or at any other time on the demand of a promoter of the collection.

8. No person under the age of sixteen years, shall act or be authorised to act as a collector of money.

9. 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.

10. (1) Where a collector is collecting money by means of a collecting box, he shall not receive any contribution save by permitting the person from whom it is received to place it in a collecting box issued to him by a promoter of the collection.

(2) Where a collector is collecting money by other means than a collecting box, he shall, upon receiving a contribution from any person, forthwith and in the presence of such person enter on a form of receipt in a receipt book issued to him by a promoter of the collection and on the corresponding counterfoil or duplicate the date, the name of the contributor and the amount contributed, and shall sign the form of receipt, the entries and signature being in ink or indelible pencil, and shall hand the form of receipt to the person from whom he received the contribution.

11. Every collector, to whom a collecting box or receipt book has been issued, shall:-

(a) when the collecting box is full or the receipt book is exhausted, or

(b) upon the demand of a promoter of the collection, or

(c) when he does not desire to act as a collector, or

(d) upon the completion of the collection,

return to a promoter of the collection that collecting box with the seal unbroken or that receipt book with a sum equal to the total amount of the contributions (if any) entered therein.

12. (1) Subject as provided in paragraph (2) of this regulation, a collecting box when returned shall be examined by, and, if it contains money, be opened in the presence of, a promoter of the collection and another responsible person.
- (2) Where a collection box is delivered unopened to a bank, it may be examined and opened by an official of the bank in the absence of a promoter of the collection.
- (3) As soon as a collecting box has been opened, the contents shall be counted and the amount shall be entered with the distinguishing number of the collecting box on a list, which shall be certified by the persons making the examination.
- (4) Every receipt book when returned and all sums received therewith shall be examined by a promoter of the collection and another responsible person, and the amount of the contributions entered in the receipt book shall be checked with the money and entered with the distinguishing number of the receipt book on a list, which shall be certified by the persons making the examination.
13. (1) Where the promoter of a collection to whom an order has been granted informs the Secretary of State that he desires to promote an envelope collection, and the Secretary of State is of opinion that the collection is for a charitable purpose of major importance and is suitably administered, the Secretary of State may, if he thinks fit, give permission for the promotion of an envelope collection.
- (2) Where an envelope collection is made in accordance with this regulation:-
- (a) every envelope used shall have a gummed flap by means of which it can be securely closed;
- (b) no collector shall receive a contribution except in an envelope which has been so closed; and
- (c) these regulations shall have effect subject to the following modifications:-
- (i) sub-paragraph (c) of paragraph (1) of regulation 6 shall not apply;
- (ii) regulation 10 shall not apply;
- (iii) regulations 11 and 12 shall have effect as if each envelope in which a

contribution is received were a collecting box;

(iv) in regulation 11 for the words "with the seal unbroken" there shall be substituted the words "unopened";

(v) in paragraph (3) of Regulation 12 for the words "As soon as a collecting box has been opened" there shall be substituted the words "As soon as the envelope has been opened" and the words "with the distinguishing number of the collecting box" shall be omitted.

(3) In this regulation "envelope collection" means a collection made by persons going from house to house leaving envelopes in which money may be placed and which are subsequently called for.

14. (1) The chief promoter of a collection in respect of which a licence has been granted shall furnish an account of the collection to the Wycombe District Council by which the licence was granted within one month of the expiry of the licence:

Provided that if licences are granted to the same person for collections to be made for the same purpose in more than one Local Authority area, a combined account of the collections made in all or any of those areas may, by agreement between the chief promoter and the respective local authorities, be made only to such of the respective local authorities as may be so agreed.

(2) The chief promoter of a collection in respect of which an order has been made shall furnish an account annually to the Secretary of State so long as the order remains in force, and if the order is revoked a final account shall be furnished within three months of the date of the revocation of the order.

(3) The licensing authority or the Secretary of State may extend the period within which an account is required to be furnished to the authority or to him, as the case may be, if satisfied that there are special reasons for so doing.

(4) The chief promoter of a collection which is made in connection in whole or in part with a street collection of which an account is required to be furnished to a licensing authority by regulations made under section 5 of the Police, Factories etc. (Miscellaneous Provisions) Act, 1916, may, if the said licensing authority agrees, combine the accounts of the house to house collection, insofar as it is made in connection with the street collection, with the accounts of the street collection, and the amount so included in the combined account shall not be required to form part of the account required to be furnished under paragraph (1) or, as the case may be, paragraph (2) of this regulation, so, however, that in the case of an account furnished under the said paragraph (2) the account shall show, in addition to an account in respect of moneys received from house to house collections not made in connection with a street collection, a statement showing the total proceeds of all combined collections, the total expenses

and the balance applied to charitable purposes.

15. The account required by the preceding regulation:-
 - (a) where money has been collected, shall be furnished in the form set out in the Fifth Schedule to these regulations and, where property has been collected and sold, shall be furnished in the form set out in the Sixth Schedule to these regulations, and in either case shall be certified by the chief promoter of the collection and by an independent responsible person as auditor; and
 - (b) where property (other than money) has been collected and given away or used, shall be furnished in the form set out in the Seventh Schedule to these regulations and shall be certified by the chief promoter and by every person responsible for the disposal of the property collected.
16. (1) Every account furnished under paragraph (a) of regulation 15 of these regulations shall be accompanied by vouchers for each item of the expenses and application of the proceeds and, in the case of a collection of money, by every receipt book used for the purposes of the collection and by the list referred to in paragraph (2) of regulation 6 of these regulations and the list referred to in regulation 12 of these regulations.
 - (2) Paragraph (1) of this regulation shall not apply to an account certified by an auditor who is a member of an association or society of accountants incorporated at the date of these regulations or is on other grounds accepted as competent by the authority to which the account is submitted, but where in such a case the vouchers, receipt books and lists mentioned in the said paragraph (1) are not submitted with an account, the chief promoter shall ensure that they are available for three months after the account is submitted and shall, if the authority to which the account was submitted so requires at any time within that period, submit them to that authority.
17. The chief promoter of a collection shall exercise all due diligence to secure that all forms of prescribed certificates of authority and prescribed badges obtained by him for the purposes of the collection are destroyed when no longer required in connection with that collection or in connection with a further collection which he has been authorised to promote for the same purpose.

APPENDIX B

MAP OF COLLECTION AREAS

