

Response from the Scottish Fundraising Standards Panel to the Fundraising Regulator's Code Consultation

The Independent Fundraising Standards & Adjudications Panel for Scotland (The Panel) was established for the purposes of overseeing enhanced self-regulation of fundraising in Scotland, to be responsible for fundraising standards in Scotland and to handle fundraising complaints related to Scottish registered charities.

The Panel would like to thank the Fundraising Regulator for undertaking this Consultation on the Code of Fundraising Practice (The Code). The focus on accessibility is essential to ensure that the Code is straightforward to use for all fundraisers day-to-day and for the Panel to use when adjudicating on complaints in Scotland.

General Comments

The Panel are generally in agreement with all of the proposed changes to the Code – the proposed Code is certainly easier to read than the current version. The Panel also like that negatives have been removed as much as possible and links have been included rather than trying to incorporate everything into the Code itself. Would it be possible to link complaint decisions from the Fundraising Regulator into the Code as well and examples of best practice?

It does appear as though the Code is still meant to be read from start to finish which is fine if it is going to be widely available as a printed document but the Panel understands that the aim is to make the Code primarily an active resource on the Fundraising Regulator's website. For a printable version, it would be good if it was downloadable with different versions so that the Panel could download a Scotland-specific version, as could be accessed through the website. This would be particularly useful in helping the Panel to engage with smaller charities through local Third Sector Interfaces and community groups with restricted access to the internet as they could be sent printed copies in line with the regular updates.

The Panel note that the values of the Code reflect their own, citing 'respectful', rather than the Fundraising Regulator's values which include 'accountable' and just wanted to ascertain if this was a deliberate decision?

As with many others, the Panel questioned a better alternative to 'MUST' and 'MUST*' and suggested 'legally' and 'as a minimum standard' as one suggestion.

Glossary

The Panel would like to ask that the glossary also undergo a Plain English review.

'Professional fundraiser' - is used in the Code without clarifying if it is the Scottish or England & Wales definition. The definition in the glossary is unclear because it cannot be presumed

that people have read the England & Wales definition before going onto the Scottish definition. There could also be more clarity that it is a third-party person.

'Donor'- this isn't always asked for by a fundraiser, it could be anyone. Also, the Panel seeks clarity on whether a donor is someone who has been asked but has not given? The Panel feel that this isn't clear for the general public and is not how fundraisers use the term.

The Panel believes that SCIO should be defined in the Code as the Panel also regulate their fundraising and need to be able to hold them to account.

Contents

The Panel asks that if things appear on the same page within the Code and are related, could they appear on the same line of the contents page? For example, Processing Donations has eleven sub-sections for only three pages.

The Panel also advises removing Roman numerals and making the 'a,b,c's more defined. The contents are currently very inaccessible for anyone with autism, dyslexia or who is illiterate – could the Fundraising Regulator perhaps look into images to aid in clear sign-posting?

Another suggestion from the Panel is the inclusion of an index for the Code. The sub-sections could be put into an index with referencing and specific page numbers rather than in the contents. The contents should just be an overview of what is in the Code and the index could be used to search through a printed version for a more specific area.

Mergers

Merger 19 – does Scots law no longer say state 'there is no permission to agree otherwise or make an excuse' as this has now been removed from the Code?