

Charity Street Trading Code of Conduct

Introduction

This Code of Conduct applies to all PFRA members conducting charity street trading activities in New Zealand.

Charity Street Trading activities means the sale of products or services in public places (usually public streets) or door to door, to raise funds for a non-governmental organisation (NGO). It includes, but isn't limited to the sale of supporter badges, pens, necklaces and greetings cards.

It does not include the sale or promotion of an organisation's services to its users, a one-off event by a local organisation in one location such as a sausage sizzle or garage sale nor commercial partnerships where a company uses a charity's name and logo to promote its own products or services.

For the purposes of this document, charity street trading is classed as a 'sale' and NZ law applies. This code seeks to regulate trading team behaviour and site management and rostering of street sites.

1. Compliance & Application

- 1.1 Every charity street trader working on behalf of an organisation must be given a copy of this code of conduct, whether they are working directly for the organisation or are employed or contracted to sell items to raise funds for an NGO
- 1.2 This Code of Conduct must be adhered to by all charity street traders, at all times.
- 1.3 This Code of Conduct applies in conjunction with PFRA's Agreement, Constitution, Rule Book and Complaints Process. It also applies in conjunction with the Fundraising Institute of NZ's (FINZ) Codes of Fundraising Practice, which includes the Code of Ethics and Professional Conduct, the Fundraiser's Relationships with Donors and the FINZ Complaints Process (where members belong to FINZ)
- 1.4 It is mandatory for all organisations participating in public street site charity street trading in rostered cities to be members of the PFRA. Rostered cities include Auckland, Hamilton, Wellington and Christchurch.
- 1.5 This Code of Conduct does not replace nor override any law.

2. Training

- 2.1 The information and standards within this code of conduct must be included in a charity street trader's initial and ongoing training (some of which should be conducted on the streets or residentially). All charity street traders must also be made aware of the PFRA Rule Book requirements.

3. Trading Team Identification

- 3.1 Each organisation (PFO or NGO) must ensure appropriate background checks as to the suitability of their charity street traders to be representatives selling items to raise funds for an NGO.
- 3.2 An organisation must require a fundraiser (who is contracted or employed) to clearly display to a purchaser:
- a) photographic ID which clearly identifies the charity street trader, shows them to be in paid employment and if they work for a 3rd party, give the name. The badge must include the following elements:
- Charity street trader's full name
 - Charities full name
 - Photograph of the charity street trader
 - state the words PAID COLLECTOR, PAID CAMPAIGNER or PAID [charity name] EMPLOYEE (for in-house programmes) (in a minimum font size the same as 10pt ARIAL)
 - If applicable, it must also state the charities authorisation to use a third party, and the full name of the third party.
 - membership of the PFRA logo (or details)



The identity badge can show the fundraiser to be 'In Training' or 'Observation' but these individuals must not be charity street trading. Any individual who is on site IN branded clothing whether training, observing or managing MUST display a name badge.

- b) on request, any mandatory identification requirements for a fundraising activity required by legislation, PFRA or the local governing body, such as the appropriate Auckland City Council license when street fundraising in Auckland.

4. Organisational Identification

- 4.1 Each organisation must have a professional dress code in place which, at a minimum, requires all charity street traders to wear branded clothing as the top layer. This must include a requirement for:
- a) clean and smart branded clothing – for example no stains, rips or holes in trousers, tights or other clothing (however fashionable this may be).
- 4.2 The charity street trader must never wear branded clothing supplied by the organisation whilst not engaged in a charity street trading activity. This means all branded clothing must be covered or removed during breaks and while journeying to or from their location. Branded clothing is never to be worn while smoking or drinking alcohol.

- 4.2 On request, the charity street trader must have access to the following information (paper or online):
- a) full name of the charity
 - b) charity registration number or IR Donee number
 - c) full business address, website and telephone number of the charity
 - d) charity logo
 - e) If applicable, the name and contact details for their employer, if not employed directly by the charity

5. Working with Third Parties for charity street trading

- 5.1 When working with third parties, charities must have pre-agreed, formal, legal contracts in place. Charities must provide confirmation of this to the PFRA, on request
- 5.2 All PFOs or third party agencies which have been authorised to fundraise on behalf of an organisation MUST be Supplier Members of PFRA and as such adhere to this Standard. It is recommended that they also belong to FINZ, and as such adhere to their best practice

6. Selection and Authorisation of Street Traders

- 6.1 Street trading is a very visible form of trading, and charity street traders will be seen as advocates for a charity and its cause. It is expected that each organisation (NGO or third party) will carry out appropriate background checks to ensure that charity street trading staff or contractors are suitable representatives of the organisation.

7. Specific Instructions

- 7.1 The charity street trader MUST verbally inform the purchaser that the purchase of the product to support **[charity name]** is NOT a donation (eg. They cannot claim this as a donation from IR)
- 7.2 The street trader must issue a receipt for the sale upon request.
- 7.3 The charity street trader must declare (either verbally and/or it must be stated on their identity badge) that they are paid to speak with the purchaser and that they are not volunteers (if applicable)
- 7.4 On request, the charity street trader must provide (in paper or online) the following disclosure statement:

*“Profits from the sale of this product for **[charity name]** support **[insert details of cause]**”*

And if applicable:

*“**[charity name]** is a member of the Public Fundraising Regulatory Association (PFRA). For information on our Code of Conduct go to www.pfra.org.nz”*

If the charity uses a PFO or third party business to fundraise, then the following statement must also be included:

“[Agency name] has been authorised by [charity name] to conduct street trading activities. [Agency name] is a PFRA Supplier Member.

- 7.5 The organisation or charity must ensure that all data and personal details provided by members of the public are handled at all stages in a secure manner in accordance with the provisions of the Privacy Act 1993
- 7.6 It is good practice for a charity street trader to provide clear information on any likely follow up procedure that is likely to be conducted by an organisation as a consequence of the sale.
- 7.7 Upon request, a charity street trader must be able to inform a member of the public either verbally, using printed or electronic material or referring to the organisation’s website, the following information:
 - a) the objectives of the organisation which they represent;
 - b) how the organisation will benefit from the sales
 - c) how any personal information gathered will be used and stored in accordance with the provisions of the Privacy Act 1993.
 - e) the means to access an organisation’s most recent financial statements or current annual report;
 - f) the means to apply to see their records held by the organisation and challenge their accuracy;
 - g) the existence of this PFRA Code of Conduct and the PFRA complaints processes on the PFRA website

8. Conduct of Charity Street Trading personnel

- 8.1 Charity street traders undertaking charity street trading activities must:
 - a) adhere to the terms of the permit issued by the Council and the PFRA Rule Book. This includes the schedule of sites allocated to their organisation and the number of fundraisers per site
 - b) avoid causing obstruction, congestion and nuisance to the public
 - c) wear appropriate branded clothing, which includes ensuring any provided clothing showing the name of the organisation is visible (as a top layer)
 - d) employ all best efforts to avoid approaching those under 16 years of age.
 - f) be courteous at all times
 - g) ensure that any street furniture used (for example a pedestal) must not cause the public any obstruction and if possible, is placed hard up against a wall, or fixed street furniture
 - h) work in teams of no more than four people
- 7.2 Charity street traders undertaking street trading activities must **not**:
 - a) impede activities of commercial organisations in public places; fundraisers will comply with any reasonable requests of nearby businesses and local authorities
 - b) behave whilst on duty in any way that might bring the organisation that they represent into disrepute

- c) confuse or mislead the public and never say, do, or sell or display anything for which the fundraiser has not been given permission by the organisation
 - d) disparage any NGO or encourage the public to cease supporting or donating to any organisations
 - e) accept cash or goods as a personal gift from a member of the public
 - f) mislead a member of the public or allow them to be misled about any matter in this Code of Conduct
 - g) use promotional material other than that approved by the organisation
 - h) carry out street trading activities under the influence of alcohol or illegal drugs
 - i) approach individuals that may reasonably be considered to be vulnerable adults
- 7.3 The organisation may remunerate a charity street trader using performance based measures, providing:
- a) the level of remuneration that a charity street trader may receive can be ascertained by the charity street trader prior to undertaking a street fundraising activity; and
 - b) the level of remuneration is calculated on a 'fee per product' basis
- 7.4 An organisation expects a charity street trader not to engage in an activity whilst undertaking street trading activity that reasonably appears to be a criminal offence, is in breach of an organisation's occupational health and safety policy, or would constitute professional misconduct under this Standard.

8. Handling Income from Street Trading Activities

- 8.1 When planning charity street trading activities, the charity or organisation should insist or plan maximum security for the handling, storage and banking of the cash collected to ensure the safety of the street trader and the proceeds from sales. The charity or organisation may be asked to provide details to the PFRA.

9. Compliance and management of complaints

- 9.1 Charity Street Traders and organisations must comply with the FINZ and PFRA's Codes of Fundraising Practice, this Standard and relevant legislation including a city's street trading bylaws, the Fair Trading Act 1986 and the Privacy Act 1993.
- 9.2 Complaints concerning this Standard or the conduct of a charity street trader will be determined initially by PFRA in accordance with their complaints processes, and if appropriate FINZ in accordance with their complaints processes.

Definitions for this Standard

Charity Street Trading Activities	means the sale and / or promotion of product/s in public places either to raise funds for a non-governmental organisation or to raise its profile. It includes, but isn't limited to the sale of supporter badges, pens and greetings cards. It does not include the sale or promotion of an organisation's services to its users, a one off event by a local organisation in one location such as a sausage sizzle or and garage sales nor commercial partnerships where a company uses a charity's name and logo to promote its own products or services.
Company	means an entity incorporated under the New Zealand Companies Act 1993 and established for the purpose of profit.
Contractor	Means the person or organisation contracted or sub-contracted to conduct the charity street trading on behalf of the charity
Complaint	means a notice in writing sent by any person to PFRA or FINZ by way of a completed a complaints form, concerning an alleged breach by a PFRA or FINZ member of any part of this Standard or other PFRA or FINZ agreement.
Direct Dialogue	is an umbrella term for all forms of direct dialogue engagement with customers or donors which includes charity street trading, face to face street fundraising, door to door, business to business and two-step (petitioning) fundraising.
Sale	means a purchase by a member of the public of a product.
FINZ	means Fundraising Institute of New Zealand
Fundraiser	means a person, company or organisation, which carries out activities, whether for remuneration, under contract or as a volunteer, for the purpose of raising funds for and awareness of the objects of an organisation.
Fundraising Activity	means an activity carried out by a person, company or organisation, whether for remuneration, under contract or as a volunteer, for the purpose of raising funds for and awareness of the object of an organisation
NGO	means a non-governmental organisation
Objects	means the objective, purpose or cause, however so defined in an organisation's constituent documents
Organisation	means an entity incorporated under either the Incorporated Societies Act 1908 or the Charitable Trusts Act 1957 and established for a purpose other than profit

PFO	means professional fundraising organisation, also known as a third party agency
PFRA	means the Public Fundraising Regulatory Association
PFRA member	means a person or organisation who is registered as a PFRA member
PFRA Supplier Member	means a person or organisation who is registered as a PFRA Supplier member who is a third party supplying goods or services for payment to an organisation
Professional Misconduct	means conduct by a FINZ and PFRA member that is a violation of the Codes and Standards of Fundraising Practice that has serious adverse consequences to a complainant or was committed intentionally by the fundraiser or both
Promotional Material	means any material in connection with the charity street trading activity whether in printed, electronic or verbal form made available by a street trader or organisation to any person
Public Place	means any land or structure owned, managed, maintained or controlled by a Council that is intended for use by the public (e.g. roads, footpaths and public squares, grass verges, berms, public gardens, reserves and parks, beaches, wharves, breakwaters, ramps and pontoons, foreshores and dunes, access ways, recreational grounds and sports fields) but does not include any area, building or structure used or intended primarily for business or commercial purposes (e.g. council offices, libraries, zoos, car park buildings).
Rosters	means the spreadsheet used listing all the agreed public places that can be allocated to organisations in any city for charity street trading. This is managed by the PFRA with the sites equitably allocated to organisations wanting to them to fundraise or sell items for charity in that particular city
Site	means a public place owned by the Council that has been authorised to be used as place for street fundraising activities which includes charity street trading
Supplier	means a third party supplying goods or services for payment to a fundraiser and/or organisation.