



Bitesize...
information
matters

Fundraising Preference Service (FPS)

This bite size resource is to inform VCS organisations about the Fundraising Preference Service (FPS) and to make your group aware of the regulations in place.

What is FPS?

FPS is a service which was put in place following a parliamentary review to allow members of the public to control the numbers of fundraising communications that they receive from charities.

The Funding Regulator for charitable fundraising in England, Northern Ireland and Wales uses FPS to manage fundraising communication on behalf of the UK public. Also donors living in Scotland or Northern Ireland can use FPS to stop communications from charities registered in England and Wales.

Why is FPS used by the public?

The public can choose to stop communication received from selected charities. In the first instance a person may ask a charity to stop sending any unwanted telephone, email, text or other messages.

An individual may however make an FPS request should the issue be any of the following:

- Stress or un-comfortableness is resulting from charity contact
- Communication from the charity has become difficult or broken down
- Multiple charities are corresponding with an individual and there is need for this to end efficiently
- Lack of clarity prevents the person from ending communication with the charity directly
- There is uncertainty as to if consent to receive communication has been given or needs to be removed

How do FPS requests work?

A person can make an FPS request for up to three charities to stop making fundraising contact. Should further charities wish to be stopped from making contact then another request can be made.

A charity spending over £100,000 pa on public fundraising will receive an invitation to enrol on FPS before the service is launched. The charity will decide the frequency of notification and format they wish to receive the FPS requests.

Any other charity spending below £100,000 pa on public fundraising who receives an FPS request will receive an email from the email address registered with the Charity Commission.

Charities with fundraising costs of over £100,000 are asked to pay an annual levy. Charities with lower fundraising costs can register for a flat fee of £50 a year. Other organisations can also register.

If you have questions about adding your details to the system please email fps@fundraisingregulator.org.uk or call 0300 999 3407.

Charities or other organisations can register online via the FPS website here:

<https://www.fundraisingregulator.org.uk/registration>

With effect from 1 March 2019 any FPS request must be followed up by the charity and contact information removed from the marketing database within 21 days. No further marketing queries may be sent to this individual unless they proactively ask to receive marketing information again in the future. (After FPS should marketing be requested by the individual again, the individual does not need to inform FPS, it is useful to keep evidence of the request to resume marketing should dispute occur later.)

When a charity is not able to find an individual on their database there may be several reasons why this occurs, for example:

- The person may have given information for another reason and is acting to ensure they are not added to a fundraising mail list.
- Perhaps the individual enters the FPS process and offers slightly different information to the data stored within the charity. Use reasonable method and judgement in this case to ascertain if a similar record is the individual making the request and act accordingly. Don't however contact this individual to check their contact information.

- Perhaps the charity itself is incorrectly identified due to being similar in name to another. The charity is allowed 200 characters of free text to upload to their charity logo to help distinguish between other organisations.

The FPS will send a confirmation email to the individual thanking for the suppression and confirming the suppression, they will also receive a unique confirmation code. Through lack of necessity charities are therefore asked not to go back to the individual to confirm suppression.

Should a charity continue to send marketing material to the individual after 21 days of receiving the suppression the individual may use their unique suppression code to go back to FPS and further make a complaint to the Fundraising Regulator. The regulator will consider complaints about direct marketing 28 days after the suppression request was made.

ICO guidance states that charities must respond to requests from individuals to stop using their personal data for direct marketing without undue delay and at the latest within one month of receipt.

The 21 day deadline for responding to FPS requests is one of the terms of for the service, instead of a data protection requirement. The deadline is designed to make sure they have enough time to remind charities who have not actioned the request within 21 days to do so within the month.

If a charity ignores an FPS request or doesn't action their request within the month, the FPS may report them to the ICO.

More on GDPR here: https://www.fundraisingregulator.org.uk/wp-content/uploads/2018/02/1_GDPR_Intro_04.pdf

Where suppression has a follow up request and the charity feels they need further information they may contact fps@fundraisingregulator.org.uk (and mark the subject as 'follow up query') or phone 0300 999 3418.

An FPS request is used to ensure data is secure and as such FPS will not share the contents via phone or email. The only way to access details of an FPS request is through the FPS charity portal.

Support is available

For further information please contact fps@fundraisingregulator.org.uk or visit the Fundraising Regulator website: <https://www.fundraisingregulator.org.uk/the-fundraising-preference-service/for-charities/>

