

Code of Fundraising Practice 2025

Key Points for Church of England Churches

This document covers the Fundraising Regulator’s refreshed [Code of Fundraising Practice \(the Code\), revised and republished in November 2025](#).

It is designed to make it easier for Church of England worshipping communities to understand their obligations under the Code and what to do about them.

Below you will find the key points of the Code with the greatest relevance for Church fundraising, alongside occasional comments on how to implement them.

Some caveats to using this document:


1. The guide is designed to be used in tandem with [the recorded presentation given by the Diocese of Oxford](#) in January 2026.
2. The topics covered are those considered to have the *greatest* relevance to the majority of church contexts but this guide is not exhaustive. If a topic is not covered herein, this does not mean that it is not found within the Code.
3. This document is a guide only. The topics chosen, and the comments made about them, are based on the professional judgement of the Generous Giving Adviser of the Diocese of Oxford. They are therefore an interpretation of the Code and not an authoritative legal definition.
4. As such, all churches retain responsibility for forming their own judgment on the implementation of the Code within their particular context.

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Rules with a  symbol are accompanied by an expository comment at the bottom of the section.

In the wider charitable sector, and therefore in this document, the term Fundraiser means anyone who solicits, encourages, or collects donations for a charity (including churches).

About the Code

What it is

The Code is basically guidance, published by the Fundraising Regulator, on how to fundraise in a legal and ethical manner. The Code itself is not legally enforceable however many of its rules are based on statutory law which would be enforceable under the relevant Act.

The Fundraising Regulator is an independent body, empowered by the UK government to investigate claims of inappropriate fundraising. Its capabilities extend to formally investigating any organisation undertaking some form of fundraising and, if they are found to have breached the Code, to publicly name and shame them.

Core principles

The Code aims to ensure all fundraising is legal, open/clear, honest, and respectful.

What it means for you

Since all Church of England PCCs are legal charities by statutory law they are bound to abide by the Code. Additionally, any non-PCC congregations which ask for donations of any form must also abide by the Code.

But importantly –

DON'T PANIC! You're probably already doing most of the stuff in the Code...

...and this guide should give you a starting point to identify anything you're not yet doing.

The most important thing to remember is what I call the Rule of a Reasonable Person.

When implementing the Code you have some leeway to apply your judgement as to how you can do so within your own context. I call this leeway the Rule of a Reasonable Person, by which I mean, what would a normal, average person think you would reasonably be able to do.

On the one hand, if you're not doing something yet, would a reasonable person think you should be and, on the other hand, if you think you can't do something within the Code would a reasonable person think you're being fair and honest in that assessment.

Part 1 – Overall Governance Rules

Overall Responsibilities

Rule	
1.1.2	<p>You must take all reasonable steps to make sure your fundraising is carried out in a way that reflects positively on fundraising in general. This includes:</p> <ul style="list-style-type: none"> • not unreasonably intruding on a person's privacy; • not putting undue pressure on a person to donate; • not using unreasonably persistent approaches; and • accepting a request to end an interaction.
2.1.4	<p>You must be able to show that you have acted in the best interests of your charitable institution when fundraising. This includes:</p> <ul style="list-style-type: none"> • identifying and dealing with potential conflicts of interest; • making sure donations are used for the purposes they are given for; and • making it clear to people fundraising on your behalf that all donations must be sent to your charitable institution.
2.1.1	<p>You must act reasonably and carefully in all matters relating to fundraising. This may include:</p> <ul style="list-style-type: none"> • taking overall responsibility for fundraising activities, including those you have delegated to others; • following codes and guidance from relevant regulators; • making sure your fundraising activities keep to data-protection requirements; • getting appropriate advice when needed; • considering the effect of controversial fundraising campaigns; • assessing and managing risks that fundraising poses to your charitable institution's activities, beneficiaries, property, work and reputation; and, • meeting any reporting and accounting requirements that apply to a donation.
2.3.1	<p>You must have a clear and publicly available fundraising complaints procedure which fundraisers can explain to existing or potential donors.</p>

2.3.2	<p>When you or a fundraising partner receives complaints about your fundraising, you must:</p> <ul style="list-style-type: none"> • investigate thoroughly and fairly; • respond fairly and in a way that is appropriate to the complaint; • avoid unnecessary delays; and • regularly review complaints and use any relevant learning to make improvements to future fundraising.
2.3.3	<p>You must have a clear, published procedure explaining how staff and volunteers can report any concerns they have about your fundraising practice. You must make sure the procedure includes:</p> <ul style="list-style-type: none"> • the type of issues that can be raised and the process for doing so; • how the person raising a concern will be protected from victimisation and harassment; • what you will do when you receive a concern; and • how to report concerns to the Fundraising Regulator if it is not possible to consider or deal with them appropriately within your charitable institution

Comments

Regarding rule 2.3.1. The requirement for a fundraising complaints procedure is an **essential new requirement** and all churches must have this. Section 7 of [the Church of England’s Donations Acceptance Template](#) contains the relevant information you need to make publicly available. Internally you will need to decide who is responsible for handling complaints and what timescale you wish to set for handling them.

Regarding rule 2.3.3. The requirement for a volunteer and fundraiser whistleblowing procedure is an **essential new requirement** and all churches must have this. To create one I would suggest simply providing answers to each of the bullet points and turning these into a one-page document to share with your volunteers and fundraisers.

Donor Benefits (Friends Schemes)

Rule	
2.6.3	<p>If you encourage someone to donate by offering benefits, you must make sure:</p> <ul style="list-style-type: none"> • you have the power to give benefits; • the benefits are appropriate in the circumstances; and • the benefits are proportionate to the size and frequency of the donation.

Comments

This rule has most relevance to Friends Schemes. Specific rules exempt merchandise such as pens and newsletters from this requirement but bigger things, such as free entry to ticketed events may not be allowed.

The most important thing is the value of the benefit and the Rule of a Reasonable Person. If someone is benefitting financially from being a member of a Friends, or if they are getting an unreasonable amount of benefit, then this would fall foul of rule 2.6.3.

For example, say that as part of a Friends membership the member will get free access to a concert which would otherwise have cost them £20 to attend. They have paid £30 for the year to be a member. A reasonable person, and rule 2.6.3, may believe this to be too much of a financial benefit and therefore not proportionate to the size of the donation.

As an alternative, I interpret this rule as allowing “Friends only” events, so long as they’re not receiving undue benefits at such an event. For example, if they have paid £30 for the year and get entry to a Cheese & Wine evening where they enjoy the opportunity to partake of £20 worth of wine then that would be an unreasonable benefit.

Part 2 – Handling Donations

Restricted Donations

Rule	
1.2.2	When collecting donations for a restricted purpose you must provide information about what will happen if you raise more than or less than the target amount.
2.6.2	You must keep a record of donations that are given for specific purposes to make sure that you keep to the conditions of the donation.
Note	A donation must be used for the purpose it was given for. If you want to change that purpose you should get advice from legal advisers or the relevant statutory regulator before changing the purpose, even if the person making the donation has given you permission to do this.
Note	A testator may set conditions on their legacy, such as how they want the charitable institution to acknowledge the gift. Testators may also say that the legacy must be used for a specific purpose or project. You will need to consider whether you can meet the conditions or use the legacy for the restricted

	purpose before you accept it. You may need to get independent legal advice on this. If you cannot meet the conditions or use the legacy for the restricted purposes, you should not accept it.
8.2.2	If you are fundraising in partnership with one or more charitable institutions, you must state how the money will be split between the organisations.

Comments

Churches will likely be doing this already, as it is part of standard charity accounting. If you would like to learn more about church accounting, see [the Church of England’s PCC Accountability guide](#).

Refusing Donations

Rule	
2.2.1	<p>You must only refuse or return donations in exceptional circumstances. If you decide to refuse or return a donation you must document your decision appropriately.</p> <p>You must make sure those fundraising on your behalf are aware that decisions relating to refusing or returning a donation must be made by you or in line with a policy you have set.</p>

Comments

Regarding rule 2.2.1. The requirement for a policy on refusing donations is an **essential new requirement** and all churches must have this. [A template for this is available here](#), alongside [guidance on using it](#).

Collecting Donations (Cash)

Rule	
3.1.1	<p>You must have procedures for counting, recording and banking donations without delay. The procedures must outline who does what, and when and how this will be monitored. The procedures must make sure that:</p> <ul style="list-style-type: none"> • unsecured cash is not left unattended; • cash is banked as soon as possible; • cash is kept in a safe or other secure place until it is banked; • cash is counted and recorded in a secure place by two unrelated people, if possible; and • cash you have banked matches your income summaries (if possible, this should be checked by someone who was not involved in counting or cashing up the money).

	Professional fundraisers and commercial participators (and people fundraising for them) are legally forbidden from taking any money from the cash they receive.
3.1.2	You must make sure cash donations are accounted for appropriately. This includes making sure third-party fundraisers do not take any expenses or fees from donated cash, unless these were agreed before the fundraising activity.
3.1.5	You must provide a digital or handwritten signed receipt for cash collection donations which were not made using a sealed collection box.
3.3.1	When using floats, you must make sure: <ul style="list-style-type: none"> • they are signed for by the person you have nominated; • float cash is kept separate from the personal money of the people handling it; and • a separate record is kept of any float money that is used for petty cash.

Comments

Regarding rule 3.1.1. This will not be new to churches and you will likely be doing all of this already. The one caveat is regarding having two unrelated people count the cash. This rule is to protect you from malicious accusations but it is widely acknowledged that this is an unreasonable expectation for many churches, especially rural congregations.

So we come back to the Rule of a Reasonable Person. A reasonable person may feel you are justified in having only one person count the cash if you can honestly say that you do not have the people to meet the two-persons requirement *however* there are important mitigations to this...

Say, for example, someone accuses the counter of taking cash from the collection. A reasonable person may understand that you can only find one person to count the cash *but* upon further investigation the Fundraising Regulator finds that the same person has counted the cash for five years, every Sunday, without anyone else ever being involved or doing the counting instead. This they may consider unreasonable because the level of accountability over your cash handling is severely compromised and there is no way to prove that that person *didn't* do what they have been accused of and steal from the collection. As such, if you cannot have two unrelated people doing the cash counting then my advice is to alternate your counters every-so-often so that you do not have only one person with unfettered access to cash. Again, this is to protect you from malicious accusations.

An even better solution is to move away from cash donations. Speak to your [diocesan giving adviser](#) for more information.

Collecting Donations (Cheques)

Rule	
3.4.1	<p>You must make sure cheques, charity cheques and vouchers are processed appropriately and without delay. This includes:</p> <ul style="list-style-type: none"> • using secure methods, appropriate to the value of the donation, to send them to banks or fulfilment houses; • not giving change in return for cheques; and • not issuing refunds for a cheque donation until the cheque has cleared and the money has appeared in your account.

Collecting Donations (Cashless)

Rule	
7.5.1	<p>You must make sure that, before making a donation, donors can see clear, accurate and up-to-date information about the collection. This includes:</p> <ul style="list-style-type: none"> • the name of the charitable institution receiving the donation; and • the charitable institution’s registration information (charity number or company number) and their contact details. <p>If a collection is organised by a third-party collector, the information must also include:</p> <ul style="list-style-type: none"> • details of how any fundraising partners will be paid as part of the collection; and • the name and contact details of the collector, if this is different from the charitable institution.
7.5.2	<p>You must make sure donors can easily find the following information:</p> <ul style="list-style-type: none"> • Details of the processing fees involved in the donation; and • Details of any secondary purpose which donations may be used for.
3.5.1	<p>You must use appropriate security measures for online and card transactions.</p>

Comments

Regarding rule 7.5.1. [See comment under Part 4, Promotional Materials.](#)

Regarding rule 7.5.2. The requirement for a display showing what fee will be taken when they donate by card or online is an **essential new requirement** and all churches must have this. [You can access a template for this here.](#) The relevant fees for SumUp and Stripe are [available on the Parish Buying website.](#)

Regarding rule 3.5.1. If you are using SumUp or Stripe as your payments processor then they provide adequate security for the purposes of this rule. If you use a different processor you must make sure they are authorised by the Financial Conduct Authority under the Electronic Money Regulations (2011) and that they have appropriate security in place to protect customers.

Lotteries and Raffles

Rule	
11.2.1	<p>You must make sure all valid ticket entries are included in the draw, that the draw is random, and the result is recorded. If the draw takes place in person, it should be witnessed to make sure it is random.</p> <p>If the draw is carried out electronically, processes that produce random results (for example, a random-number generator) should be used.</p>
11.2.2	<p>You must tell entrants how the draw will be carried out, and give them clear details of all relevant rules, entry instructions, dates and deadlines.</p>
11.2.3	<p>After the draw you must:</p> <ul style="list-style-type: none"> • give the organiser records of tickets and payments for audit purposes; • take all reasonable steps to contact all winners within seven days of the draw; • take all reasonable steps to award prizes to the winners; and • make details of the winners public (unless they objected to this when they entered the draw).

Comments

These rules are, of course, common sense but it is worth noting that, in addition to these rules, if you run a lottery or if you sell raffle tickets outside of your church building you must have a licence from your local council. [You can read more on the Diocese of Oxford website.](#)

Vulnerable Donors

Rule	
5.2.2	<p>You must not, at any time, take advantage of the trust, lack of knowledge, apparent need for care and support, or vulnerable circumstances of an existing or potential donor.</p>
5.2.3	<p>You must give appropriate consideration to the needs of existing or potential donors who may be in vulnerable circumstances or need extra care and support to make an informed decision. This includes:</p>

	<ul style="list-style-type: none"> • not accepting a donation if you know, or have reason to believe, that a person cannot make an informed decision to donate; and • returning a donation if you discover that the donor could not make an informed decision at the time of the donation. <p>You are not expected to assess every existing or potential donor’s capacity to make an informed decision. However, fundraisers should be alert to signs that someone lacks the capacity to make an informed decision and support them appropriately.</p>
5.2.4	You must take all reasonable steps to avoid asking for regular donations (for example, by direct debit) from anyone aged under 18.

Comments

Regarding rule 5.2.4. It is common good practice to educate young members of church on the importance of financial giving and generosity within the Christian faith. Coming back to the Rule of a Reasonable Person I argue that a reasonable person would think it okay to accept donations from a church member who is under 18 so long as you do this:

- in an appropriate way;
- in line with safeguarding requirements;
- in the full knowledge of their legal guardians;
- without putting undue pressure on the donor; and,
- that you reasonably believe their giving to be affordable and proportionate for someone their age.

You should not normally ask for standing orders or direct debits from under 18s.

Part 3 – Fundraiser Behaviour & Volunteers

Types of Fundraising Volunteers

on-behalf-of	in-aid-of
A volunteer who has been asked or instructed to fundraise for a charitable institution.	A volunteer who has not been asked or instructed to fundraise by the charitable institution they are collecting donations for.

General Rules for Fundraiser Behaviour (including Volunteers)

Rule	
4.2.1	You must carry out appropriate checks to make sure that on-behalf-of volunteer fundraisers are suitable to represent your charitable institution.
7.4.2	<p>You must make sure fundraisers are suitable for the work they are doing. This includes:</p> <ul style="list-style-type: none"> • carrying out appropriate due diligence; and • making sure fundraisers are at least the minimum age required to carry out the activity.
4.1.1	<p>You must provide in-aid-of and on-behalf-of volunteers with training and support that is appropriate to the relationship they have with you. The training for on-behalf-of volunteers should include:</p> <ul style="list-style-type: none"> • how to fundraise legally and safely; • handling and processing donations; • what should and should not be included in fundraising materials; and • the behaviour expected of volunteers and where they can access support and guidance. <p>If you become aware of an in-aid-of volunteer’s fundraising activity beforehand, you must take all reasonable steps to make sure they:</p> <ul style="list-style-type: none"> • use the expression ‘in aid of’ when describing the fundraising they are doing for your charitable institution, to distinguish their fundraising from yours; • know they are responsible for organising all aspects of their fundraising and you will not accept any liability relating to it; and • can find information on how to fundraise legally and safely.
4.1.2	You must not pay volunteers for fundraising, but you can cover their reasonable expenses.
4.1.3	If you know about a volunteer’s fundraising beforehand, you must make sure there are proper arrangements in place for money to be transferred to you quickly and efficiently.
7.1.1	<p>While fundraising you must behave in a way which reflects well on the charitable institution and fundraising in general. For example, you must not act in a way that:</p> <ul style="list-style-type: none"> • could reasonably upset or cause anxiety to potential donors; • is dishonest or manipulative, or tries to make potential donors feel guilty; or • could damage the reputation of the charitable institution or fundraising in general, including: <ul style="list-style-type: none"> • using inappropriate language or behaving in a crude or aggressive way; • smoking, vaping, drinking alcohol and so on; and • using your position for personal gain.

7.1.2	You must be clear and honest about your intention to fundraise when approaching potential donors.
7.3.1	<p>You must not carry out collections at properties where residents have made it clear they do not want to be disturbed. This includes:</p> <ul style="list-style-type: none"> • properties with a sign saying 'no cold-callers' or similar; and • groups of properties in an area where cold-calling is not allowed (no cold-calling zones).
7.3.2	<p>You must approach properties and residents respectfully. This includes:</p> <ul style="list-style-type: none"> • taking extra care when visiting properties after dark or in isolated locations; • not approaching properties in groups of more than two fundraisers at a time; • only knocking on the front door or main entrance unless a resident asks you to knock somewhere else; • not asking to enter a property and only entering if you are given clear permission by a resident; • not using permission from one resident to enter a building which contains separate properties (such as a block of flats) as permission to approach other properties in the building; and • not stopping residents from shutting their door (for example, by putting your foot in the doorway).
2.1.2	<p>You must take reasonable steps to protect fundraisers from harm and harassment while fundraising. This includes:</p> <ul style="list-style-type: none"> • having processes for fundraisers to report any issues that arise; and • taking reasonable steps to deal with any issues that are reported.
Note	<p>Under the House to House Collections Act 1939, if volunteers are carrying out house-to-house collections on your behalf, you are legally required to carry out due diligence to make sure that each volunteer is a 'fit and proper person'.</p>
7.3.3	<p>You must carry out door-to-door collections at appropriate times. Unless your licence or an exemption order says otherwise, these are:</p> <ul style="list-style-type: none"> • between 9am and 9pm, Monday to Saturday; and • between 10am and 9pm on Sundays and public holidays.
Note	<p>For house-to-house collections you must not allow anyone aged under 16 to collect money. This is in line with the House to House Collections Regulations 1947, as amended by the House to House Collections Regulations 1963.</p>
7.4.3	<p>You must make sure fundraisers have the appropriate official materials and any formal authorisation needed to carry out their fundraising. You must also keep a record of the fundraising materials you issue and when they are returned.</p>
7.4.4	<p>You must make sure that fundraisers and vehicles used for fundraising activity can be clearly identified as representing your charitable institution.</p>

7.4.5	You must make sure that your fundraisers have appropriate identification for the activity they are carrying out.
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Comments

Regarding rule 4.1.1. The Rule of a Reasonable Person applies to what you consider appropriate training for volunteer fundraisers. The most important thing is that they know their responsibilities under the Code and adhere to rule 7.1.1.

Regarding rule 7.1.2. You must not mislead people when asking for money. For example, you can't say "this conversation isn't really about money" when you intend to ask for a donation. In the context of Christian giving we encourage you to talk about money in a Biblical way so it is perfectly normal to be upfront that you are asking people to donate. You can find resources for talking about Christian Giving on the [Church of England](#) and [Diocese of Oxford](#) websites.

Regarding rule 2.1.2. It is important that volunteers know whom they can speak to for help if they feel vulnerable or in danger, or to raise any other issues. Additionally, we discourage people from fundraising alone (off church premises).

Regarding rules 7.4.3-7.4.5. These typically apply to large charities that organise major fundraising events (for example, Children in Need or MacMillan). In a church context, you just need to ensure that volunteers have something to prove they're collecting on your behalf.

Safeguarding

Rule	
5.2.1	<p>You must have clear procedures in place to make sure fundraisers are aware of their safeguarding responsibilities towards themselves, potential donors and one another. Procedures should set out how fundraisers work with everyone, including:</p> <ul style="list-style-type: none"> • the organisers of an activity; • the children taking part in the activity; • the parents, guardians or responsible adults of those children; and • all potential donors, including those in vulnerable circumstances.

Comments

The safeguarding requirements of the Code are typically superseded by the Church of England's own safeguarding requirements and you should default to the latter unless otherwise necessary.

There is an entire section of the Code dedicated to using children and vulnerable adults to fundraise. Since this is both unusual and would be superseded by Church of England safeguarding procedures I have not included the information here however you can read access it in [Chapter 5 of the Code](#) if this is relevant to you.

Part 4 – Fundraising Material

Promotional Materials

Rule	
8.1.1	You must make sure the content of your fundraising communications, and the methods you use to deliver them, are responsible and suitable for the people they are aimed at.
8.1.2	You must not use claims or images in your fundraising communications that people may find shocking merely to attract attention. If you do use shocking content, you should include warnings about this.
8.1.3	You must make sure information you include in your fundraising communications about your charitable institution and fundraising activities is accurate.
8.1.4	You must be able to show that all case studies are representative of real situations.
8.1.5	You must get clear and informed permission from any people who could be identified from a case study before you use it. If the person has died, you must take all reasonable steps to get permission from their estate.
8.1.6	<p>You must take appropriate care when including enclosures in fundraising materials. This includes making sure enclosures:</p> <ul style="list-style-type: none"> • strengthen your message and do not encourage someone to make a donation based on guilt or embarrassment; • are safe for the person receiving them; and • do not cause undue inconvenience to the person receiving them.
Note	<p>Section 39 of the Charities Act 2011 sets out the information which registered charities in England and Wales with an income over £10,000 per year are legally required to include in their fundraising documents.</p> <p>Charitable incorporated organisations (CIOs) are also required to state their names in every document and location in which a charitable company would be required to state its name under The Company, Limited Liability Partnership and Business (Names and Trading Disclosures) Regulations 2015. This obligation is set out in section 211 of the Charities Act 2011.</p>

Comments

Regarding the Note (and rule 7.5.1). This is **an essential requirement** for all Church of England congregations. All written material with any relevance to finance produced by you must include a way to contact you and your charitable information. Typically this means putting your web address and your full charitable name/number. If you do not have a website you can put a link to your [A Church Near You page](#).

If you are a PCC and do not have a charity number you can put your name and number as “The Parochial Church Council of the Ecclesiastical Parish of [Parish Legal Name], a charity excepted from registration with the Charity Commission.” Your parish legal name can be found in the More Information section of your A Church Near You page.

If you are a NWC, BMO, Church Plant, LEP etc. you must provide some form of charitable information. This means you will either need to register as an independent charity with the Charity Commission or you will need to use the information of your parent PCC.

Benefices, Deaneries, Areas etc. wishing to undertake fundraising that are not constituted, by Pastoral Measure, as the legal governing body of the member churches (in place of a PCC) must either register as independent charities or undertake their fundraising under the auspices of one of their individual PCCs.

NB Parish Giving Scheme donation forms do not require you to add your church’s details.

Data Protection and GDPR

Rule	
Note	<p>Under The Privacy and Electronic Communications (EC Directive) Regulations 2003 (PECR), fundraising communications sent by email or mobile phone are legally required to:</p> <ul style="list-style-type: none"> • only be sent to people who have given their consent beforehand; • include clear procedures for how people can subscribe and unsubscribe; • offer a way to opt out of marketing messages at no extra cost; and • include clear information on costs associated with any premium-rate messages. <p>Under Article 7 of UK GDPR, you are legally required to update the person’s record as necessary to reflect any changes to their consent or contact</p>

	preferences. For more information about consent, see the ICO's guidance on obtaining, recording and managing consent.
8.4.2	<p>If you have a person's consent to send them electronic direct marketing, you must:</p> <ul style="list-style-type: none"> • offer an easy way for them to withdraw their consent (for example, by providing an 'unsubscribe' link in emails); and • remind them of their contact preferences and offer an easy way for them to change these (for example, by providing an 'update marketing preferences' link).
8.4.5	You must make sure consent statements included in your fundraising materials are clear, easy to read and suitably prominent.
8.4.3	You must use a simple opt-out message for people to tell you if they don't want to receive messages from you. This includes offering an option for people to reply to mobile messages to opt out of receiving them.
8.4.4	You must be able to justify how often you contact people about fundraising, balancing the need to communicate with not bombarding people.
2.1.6	If you rely on legitimate interest as the lawful basis for processing personal data, you must record details of your decision-making in line with the ICO's requirements.
8.4.1	<p>You must have appropriate systems and procedures in place to make sure that:</p> <ul style="list-style-type: none"> • you do not send fundraising communications to people who have indicated they do not want to receive them; • you stop sending fundraising communications to people you know have died; • you meet your obligations under data-protection legislation; and • your databases are accurate, and where necessary, kept up to date. <p>If you do not have specific permission to contact a person, you must check against lists of people who have previously indicated that they don't want to receive fundraising communications, such as the Fundraising Preference Service.</p>

Comments

Regarding rule 2.1.6. Under the changes made to the Electoral Roll forms in 2025, membership of the Roll no longer counts as legitimate interest for the purposes of marketing (e.g. newsletters) or fundraising.

Legacy Materials

Rule	
14.1.1	You must make sure that all fundraising activity relating to legacies considers:

	<ul style="list-style-type: none"> the freedom of the potential testator to provide for their family and others; and any sensitive circumstances of the potential testator and their family and friends, where known.
14.1.2	<p>You must make sure any information you provide for potential testators to include in their will or related documents is clear and accurate. You must be clear that any suggested wording does not represent legal advice. If you provide suggested wording about your charitable institution, this should include the charitable institution's:</p> <ul style="list-style-type: none"> full name and address; and registration details (such as the charity number and registered address).
14.1.3	<p>If a potential testator asks you or any of your officers or employees to act as executor, you must consider whether:</p> <ul style="list-style-type: none"> you have the legal power to do this; it is in the best interests of your charitable institution; and there are any risks or potential conflicts of interest for your charitable institution.
14.2.1	<p>You must behave respectfully towards potential testators. As part of this, you must make sure that fundraisers:</p> <ul style="list-style-type: none"> are open about the reason for inviting someone to an event where legacies will be discussed; do not act in a way which could be considered unreasonably pressurising; carry out meetings in a suitable way, which is sensitive to the potential testator's interests and concerns; keep a record of meetings and communications with potential testators; and accept the potential testator's right to: <ul style="list-style-type: none"> invite other people to all meetings; decline a meeting; or end a meeting at any time.
14.3.1	<p>You must make sure fundraisers do not take advantage of a relationship with a potential testator while fundraising. To avoid this, fundraisers:</p> <ul style="list-style-type: none"> must not draft, or be directly involved in drafting, wills in their favour; and must tell you about any offer of a personal legacy (rather than a legacy to the charitable institution).
14.3.2	<p>You must have procedures in place to deal with situations where a potential testator offers a personal legacy to a fundraiser.</p>

14.3.3	<p>There are considerable risks in paying the costs involved in making a will which includes a legacy to your charitable institution. If you choose to do this, you:</p> <ul style="list-style-type: none"> • must not insist that your charitable institution receives a legacy or is appointed as executor in exchange for paying for the will; and • must provide clear information about the service being offered and the testator’s options. <p>If you are using a will-writing partner, providing clear information includes:</p> <ul style="list-style-type: none"> • providing information about the level of legal advice the partner will provide; • giving the testator at least two providers to choose from, without providing a recommendation; and • making it clear that the will-writing partner will be acting only in the potential testator’s interests and on their instructions. <p>If you are not using a will-writing partner, providing clear information includes recommending that the potential testator should get independent legal advice.</p>
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Part 5 – Grant Fundraising & Events

Professional Fundraisers 1: Contracting with a Fundraiser

Rule	
Note	<p>If the third-party fundraiser falls within the legal definition of a ‘professional fundraiser’ or ‘commercial participator’, they are legally required to have a written agreement in place with you. These agreements must be in place before a professional fundraiser begins fundraising on your behalf or before a commercial participator begins a promotion which states that contributions will be given to you.</p> <p>Under regulations 2 to 3 of The Charitable Institutions (Fund-Raising) Regulations 1994 all agreements with professional fundraisers and commercial participators are legally required to include the following:</p> <ul style="list-style-type: none"> • The names and addresses of the charitable institution and the professional fundraiser or commercial participator. • The date the agreement was signed, how long it is for and any terms relating to amending the agreement or ending it early. • A statement of the main aims of the agreement and the methods to be used to achieve those aims (and, for agreements with commercial participators, a description of the type of contribution the commercial participator will make to you and the circumstances in which this contribution will be made).

	<ul style="list-style-type: none"> • For agreements with professional fundraisers, how much the professional fundraiser will receive as payment or for expenses and how this will be calculated. • For agreements with commercial participators, how much you will receive from the commercial participator and how this will be calculated (as a fixed amount or in percentage terms). • If more than one charitable institution is involved, details of how the donations will be shared between you. <p>Under section 59 of the Charities Act 1992, in England and Wales you are legally required to put review procedures in your written agreements. You are also legally required to include the following details:</p> <ul style="list-style-type: none"> • Any voluntary regulation that the professional fundraiser or commercial participator has agreed to keep to. • How the professional fundraiser or commercial participator will protect vulnerable people and the wider public from unreasonable intrusion on a person’s privacy, unreasonably persistent approaches or undue pressure to donate. • How you will monitor the professional fundraiser or commercial participator to make sure they are keeping to the agreement.
6.2.1	You must have an appropriate written agreement in place with any third-party fundraiser you work with (unless they are a volunteer, in which case you may decide not to put a written agreement in place).
6.2.3	<p>You must make sure that this agreement includes appropriate terms about:</p> <ul style="list-style-type: none"> • the activities to be carried out by the third-party fundraiser (and if relevant, by you); • any timescales that apply; • if the third-party fundraiser will be paid by you, how you will calculate the payment; • if fundraising materials will be developed or shared, what copyrights you have over these materials; • handling confidential information; • how the third-party fundraiser is expected to behave, including keeping to this code; • complaints procedures and working with us; and • whether the third-party fundraiser is allowed to subcontract fundraising activities to others and, if so, what standards are in place for subcontracted services.
6.2.2	You must make sure that this agreement provides adequate protection and rights for your charitable institution, taking into account the activity to be carried out under the agreement. In particular, you must be able to end the agreement in a way that allows you to protect your charitable institution’s reputation, if this becomes necessary.

6.1.1	You must carry out appropriate checks on a third-party fundraiser before entering into an agreement with them. This is to make sure you are reasonably satisfied that they are able to do what you expect them to do and that the relationship is unlikely to damage your reputation.
6.3.2	You must make all reasonable efforts to monitor whether third-party fundraisers are keeping to the agreement you have with them.

Comments

Regarding the Note and rule 6.3.2. It is essential that you form a proper, legal contract with a professional fundraiser and that you are adequately monitoring them throughout your relationship.

Regarding rules 6.2.2 and 6.1.1. This would be classed as undertaking the due diligence necessary to ensure you are getting value for money and minimising any financial or reputational risks.

Professional Fundraisers 2: Conduct whilst Fundraising

Rule	
6.3.1	You must make all reasonable efforts to make sure that any third-party fundraisers you work with keep to the Code.
Note	<p>Under section 60 of the Charities Act 1992 and The Charitable Institutions (Fund-Raising) Regulations 1994 you [a professional fundraiser or a commercial participator] are legally required to make a solicitation statement when fundraising or stating that the sale of a product or service will result in a contribution to a charitable institution.</p> <p>All solicitation statements are legally required to include:</p> <ul style="list-style-type: none"> • the name of the charitable institution or institutions; and • if there is more than one charitable institution, details of how funds will be shared between them. <p>Solicitation statements for professional fundraisers are also legally required to include:</p> <ul style="list-style-type: none"> • how their payment will be calculated; and • how much they will be paid for the appeal (or, if they don't know the actual amount, an estimate of the amount calculated as accurately as possible). <p>Employees of a professional fundraiser should provide a statement about the payment their employer will receive in connection with the appeal, not the payment they personally will receive from their employer (the professional fundraiser).</p>

	There are also legal requirements which apply when a professional fundraiser or commercial participator asks for a donation verbally without the potential donor being present (for example, when fundraising over the phone or during a radio or television programme).
6.4	Solicitation statements are statements that professional fundraisers and commercial participators must give when fundraising for a charitable institution. They explain how the charitable institution will benefit from the fundraising.
6.4.1	You must make sure solicitation statements are clear, accurate and up to date.
6.4.2	You must make a solicitation statement before: <ul style="list-style-type: none"> • a potential donor gives any money (or if you are a commercial participator, before a donor buys a product or service); or • you ask for any financial details relating to the transaction.

Comments

Regarding the Note and rule 6.4.2. It is the duty of the professional fundraiser you have contracted with to produce the necessary solicitation statement.

Regarding rule 6.4.1. As the beneficiary you should also ensure that the fundraiser is producing and using the solicitation statement in a proper manner.

Grant Funding Applications

Rule	
12.1.1	You must prepare your grant applications responsibly. This includes making sure you have appropriate permission to include any referees in your application.
12.1.2	You must act appropriately following the grant decision. This includes: <ul style="list-style-type: none"> • making sure you understand and can meet any conditions relating to the grant; • meeting the administrative requirements of the grant-making body and the terms and conditions of your grant agreement; and • only appealing against a rejection if you have appropriate reasons.
12.1.3	You must communicate appropriately with the grant-making body. This may include: <ul style="list-style-type: none"> • telling them if there are any serious problems with the funded project; • closely following their reporting guidelines and requirements; and • asking for, and receiving, their written permission before changing how the grant is spent.

Fundraising Events

Note	
10.1.1	<p>You must carry out an appropriate risk assessment before holding an event. This includes:</p> <ul style="list-style-type: none"> • being clear about who is insuring against each risk (for example, you or the owner of any building you are using); and • setting out specific responsibilities and risks when working with a third party.
10.1.2	<p>You must make sure health and safety arrangements are suitable for the event you are holding.</p>
10.2.1	<p>You must make sure any materials that encourage people to fundraise as part of an event, and those sent to participants who have signed up for an event, are clear about what is expected of them and how donations will be used. This includes:</p> <ul style="list-style-type: none"> • the commitments participants must make; • whether participants must pay a personal registration fee; and • whether any part of the money a participant raises will be used to directly benefit them, for example by covering their expenses.

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All information is provided as guidance only and the reader is advised that they retain full responsibility for the interpretation of the Code and its implementation in their own context. Neither the Diocese of Oxford nor Joshua Townson may be held responsible for any breaches of the Code which arise as a result of the use of this document.

[The full Code of Fundraising Practice can be read online.](#)

Joshua Townson can be contacted by email at joshua.townson@oxford.anglican.org

You can find the details of your own diocesan generous giving adviser on [the Church of England website](#).