

Penguins Against Cancer



Events Policy

A guide on organising and conducting events to fundraise for Penguins Against Cancer.

This policy will be reviewed on an ongoing basis, at least once a year. Penguins Against Cancer (PAC) will amend this policy, following consultation, where appropriate.

The framework for this policy is based upon documentation from the Fundraising Regulator.

Date of last review: 23/05/2024

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Introduction

This guide contains standards for planning and conducting events (including challenge events) in the UK or overseas, including getting any permission that is needed to use a site, making sure the event is safe and managing the risks responsibly.

Summary of Requirements

- ✚ Avoid undertaking activities which might place at undue risk anyone, anything, or the reputation of Penguins Against Cancer.
- ✚ The event organiser is responsible for the hire of a venue, catering company and other logistical arrangements in order to host the event. It is essential that a cancellation date is set within any contractual agreement and the organiser either confirms or cancels the event in good time knowing how many individuals have/or have not committed to the event.
- ✚ The organiser provides a financial log for PAC in order to satisfy the audit process for the Charities Commission. Liaise with the PAC Treasurer on any queries, e.g. producing a financial log.
- ✚ The event organiser should conduct a risk assessment of the event if appropriate.
- ✚ You must not attempt to open any accounts in the name of PAC.
- ✚ The remainder of the guide must be reviewed for further details.

Venues, locations, and equipment

When identifying a suitable venue or location for an event, you:

must consider issues of equal access for all, even if an event is being targeted at a specific group of people.

must make sure the venue meets the legal requirements on health and safety.

must make sure the venue or location is fit for purpose, taking note of any restrictions, and be able to justify any environmental effect the event might have.

Specialist Equipment

If any specialist equipment is needed by (or recommended for) anyone taking part, you must give a list to each team or person taking part in enough time for them to borrow or buy any necessary items. The list should say who is responsible for the kit and who it is suitable for. People taking part must not go ahead if the equipment mentioned above is not suitable.

Vehicles

If those taking part need to use vehicles, you must tell them to take rest stops and plan their journey in a way that recognises road safety, especially speed limits.

Risk assessment and insurance.

Fundraisers (who are not employers) must conduct a risk assessment if it is reasonable to do so.

You must make sure that health and safety arrangements (for example, medical cover and evacuation arrangements) are appropriate for the event and the country in which it is taking place.

You **must** make sure that any insurance policies you must have by law are in place. You must make sure you have sufficient third-party public-liability cover in place and must consider whether you should take out any other insurance cover. You must be clear who (for example, you **or** the building owner) is insuring against which risk.

Licences and permission.

You **must** make sure that you have any permission or licences you need for the event from the local authority or other relevant body.

If you are planning an event in England and Wales on private property, you must get permission if required. The same is true for Northern Ireland.

In Scotland, the rules are more complicated and, although generally there is no absolute legal requirement to do so, you must be able to show you have made reasonable attempts to get permission from land managers to make sure that you do not break the requirement to exercise access rights responsibly.

You must not have more than the maximum number of people allowed to take part in an event under the relevant permission, licence or local conditions. In some cases, this will be a legal requirement that you **must** keep to under the licence agreement. Having more than the maximum numbers could also mean that any insurance you have taken out for the event is no longer valid.

You **must** meet relevant local guidance or information that applies to the site you are using when planning an event.

You **must** keep to the Countryside Code in England and Wales, the Scottish Outdoor Access Code in Scotland and the Northern Ireland Countryside Code in Northern Ireland.

Specific considerations for open access land (England and Wales)

If you plan to use open access land in England and Wales, you must:
meet the Countryside and Rights of Way Act 2000 (the act) if it applies;
make sure your activity is allowed under the act;
and check whether you need permission from landowners for the activity (and if so, get permission).

Further guidance Natural England: Open access land: management, rights and responsibilities for guidance on how open access land can be used.

People taking part in a fundraising event.

If you refuse permission for a person to take part in an event, you **must** meet consumer and discrimination laws.

You **must** get any permission you need by law for a person to be involved in an event in writing before the event. (This includes, where relevant, accepting legal terms and conditions and to protect health and safety.)

You must make sure people taking part are aware of any fundraising targets they are expected to meet.

If a certain age, level of fitness, preparation or training is necessary for a person to be able to take part safely, you must agree this beforehand with the people involved.

Promoting an event.

In all promotional materials about taking part in an event, particularly materials sent as part of 'fundraising packs', you must clearly indicate if any part of the money a person taking part raises will be used towards their expenses or otherwise to benefit them.

If you use recruitment materials such as adverts in the press, that are designed to encourage people to take part in an event, you must not mislead readers into believing that their commitment would be limited to any minimum personal registration fee.

You must make sure that all marketing materials have accurate and clear details of the event and clearly state how the money raised from the event will be used.

Only approved PAC logo and colour branding should be used on marketing materials. The Fundraising Regulator logo is also recommended for fundraising activities.

If the person taking part does not personally pay the whole cost of the trip but uses some of the sponsorship money for this purpose, you **must** make sure they know that they **must** make this clear to every donor.

If merchandise sales or fundraising events (such as challenge events) are carried out through a trading company, you **must** make this clear on relevant communications or web pages.

Cancelling an event and contingency plans.

You must make sure that sponsorship forms are clear about whether the fundraiser needs to meet any conditions in return for the sponsorship money (for example, run a marathon).

If sponsorship money is given under certain conditions and the sponsored event is cancelled, or a person is unable or unwilling to take part in **or** complete the event for any reason, the person who collected the sponsorship money must contact donors and ask if they are still happy for the money to go to your charitable institution, and issue refunds if they are not. If sponsorship money is given without conditions, it automatically belongs to the charity, whether or not an activity is completed.

If you plan a fundraising event, you must have a plan to cover all situations you could reasonably anticipate, and make sure the people involved understand exactly what you expect of them.

On the day.

Safety

Before the event, you must carry out a final check to make sure everything is in place, especially fire exits, first aid and equipment.

You must put in place procedures at the event to avoid congestion (in particular, if an emergency evacuation is needed).

You must have marshals and stewards with relevant experience, where necessary.

Selling and trading

If you are a charitable institution and will be selling products or services at an event, you must make sure you are allowed to trade under the documents that govern your organisation.

If you are a charity, you must consider the tax consequences of trading within the charity. You **must** make sure that any product being sold at the event meets relevant safety standards.

You **must** make sure that any food being supplied meets hygiene regulations (the Food Hygiene (England) Regulations 2006, the Food Hygiene (Wales) Regulations 2006, the Food Hygiene (Scotland) Regulations 2006 or the Food Hygiene (Northern Ireland) Regulations 2006). For more details, contact the environmental health department of the relevant local authority.

If you are selling or providing alcohol, you **must** have the relevant licences and permission, and keep to any age limits.

Financial procedures.

You **must** meet any tax and VAT laws and regulations that apply to the event, including those related to record keeping.

You **must** have financial procedures in place for money received before, during or after an event.

You **must** provide a financial log to the PAC Treasurer.

After the event.

You **must** have procedures or a policy for following up donors who have not paid or who have not met any minimum sponsorship requirements.

Events organised by third parties.

The following standards apply to fundraising events organised by third parties.

You must have an agreement with the event organiser, which sets out specific responsibilities and risk.

Events involving travel.

There are special legal requirements for events involving flights and certain other travel services.

The Package Travel and Linked Travel Arrangement Regulations 2018 state that they apply to:

'The pre-arranged combination of at least two of the following components when sold or offered for sale at an inclusive price and when the service covers a period of more than 24 hours or includes overnight accommodation:

- transport;
- accommodation; and
- other tourist services not ancillary to transport or accommodation and accounting for a significant proportion of the package.'

Most of the obligations under the regulations fall on the organiser. There are also obligations on retailers who sell packages to consumers. Generally, charitable institutions will want the specialist tour operator to be the 'organiser' with responsibility for keeping to the regulations. This is a complicated area and you should get appropriate legal advice on this.

There are other legal requirements for events involving flights (under the Civil Aviation Air Travel Organisers' Licensing Regulations 1995 (the ATOL Regulations). The Civil Aviation Authority (the CAA) has, in the past, issued guidance for charities organising challenge events involving flights. Detailed information is available on the CAA's website. This is also a complicated area and you should get professional legal advice. You may need permission from the CAA, or to give them notice, for flying displays, operating balloons for public flights and other 'unusual aerial events' (for example, releasing balloons, using drones, and fireworks displays).

You **must** meet laws relating to travel, including the Package Travel and Linked Travel Arrangement Regulations 2018 and the Civil Aviation Air Travel Organisers' Licensing Regulations 2012 (the 'travel regulations').

You must be clear who is responsible for meeting the travel regulations.

You must check the track record and reliability of the tour operator and any subcontractors.

When organising a challenge event and drafting forms for collecting information from the people taking part and privacy notices, you must clarify with the tour operator who will be collecting the information and for what purposes it will be collected and held.

If an event organiser, or the people taking part, falls within the definition of a professional fundraiser or commercial participator, you must take reasonable steps to make sure everyone keeps to these requirements.