

# Consultation response form

## Consultation on draft Code 15

Please complete this form in full and return by email to [consultations@psauthority.org.uk](mailto:consultations@psauthority.org.uk) or by post to Barbara Limon, Phone-paid Services Authority, 40 Bank Street, London, E14 5NR.

Full name	██████████
Contact phone number	N/a
Representing	Organisation
Organisation name	Save the Children UK
Email address	████████████████████████████████████████

If you wish to send your response with your company logo, please paste it here:

We plan to publish the outcome of this consultation and to make available all responses received. If you want all or part of your submission to remain confidential, please clearly identify where this applies along with your reasons for doing so.

Personal data, such as your name and contact details, that you give/have given to the PSA is used, stored and otherwise processed, so that the PSA can obtain opinions of members of the public and representatives of organisations or companies about the PSA's subscriptions review and publish the findings.

Further information about the personal data you give to the PSA, including who to complain to, can be found at [psauthority.org.uk/privacy-policy](https://psauthority.org.uk/privacy-policy).

## Confidentiality

We ask for your contact details along with your response so that we can engage with you on this consultation. For further information about how the PSA handles your personal information and your corresponding rights, please see our [privacy policy](#).

<p>Your details:</p> <p>We will keep your contact number and email address confidential. Is there anything else you want to keep confidential?</p>	<b>My name</b>
<p>Your response: Please indicate how much of your response you want to keep confidential.</p>	<b>None</b>
<p>For confidential responses, can the PSA refer to the contents of your response in any statement or other publication? Your identity will remain confidential.</p>	<b>N/a</b>

## Your response

Please enter your response to each of the consultation questions in the appropriate box below.

Consultation questions	Your response
<b>Standards and requirements</b>	
<p>Q17 Do you agree with our proposal to introduce a new fairness standard? Please provide an explanation as to why you agree or disagree?</p>	<p>Save the Children UK agrees with the rationale for introducing a new Fairness Standard. Treating donors fairly and ensuring reasonable steps are taken so donors can make informed decisions are already key aspects of fundraising compliance (see <a href="#">section 1.3 of the Code of Fundraising Practice</a>). Seeing this mirrored across the rest of the PRS market would help build consumer trust and benefit all stakeholders. However, we disagree with the requirement for consumer consent to be re-established every 12 months for recurring donations. Please see our explanation in Q18.</p>
<p>Q18 Do you agree with our assessment against the general principles which we set out in the discussion document? Do you have any further information or evidence which would inform our view?</p>	<p>We believe the proposal for consumer consent to be re-established every 12 months for recurring donations would be ineffective in advancing the aims of the Fairness Standard. It appears to run contrary to the desired ethos of establishing informed and robust consent upfront and misaligns text donations from the wider regular giving environment. There are significant differences in the relationships consumers share with charities in comparison to businesses which warrant differentiation. We appreciate the potential benefits of seeking a uniform approach but believe this instance is an oversimplification which would lead to unnecessary detriment for the charity sector by significantly impacting this donor base.</p> <p>The existing mechanic for recurring donations is very clear. Donors receive a double opt-in at signup, in line with the existing Special Condition for Recurring Donations. Each month the supporter then receives two messages, the first before their donation is due giving them the option to SKIP and a receipt for their donation the following</p>

	<p>day, assuming they did not SKIP. The supporter is therefore fully aware of the fact that they are donating each month and have the opportunity and details to stop their donation at any time. This ties in with the established understanding that recurring donations continue until the donor decides to stop and forms part of the informed decision donors make at the point of sign-up. As such, the introduction of an automatic annual opt-out risks causing confusion and may lead to donations being cancelled unintentionally if the donor does not realise that their action is required to continue.</p> <p>We are unable at this stage to accurately model the potential impact of an automatic opt-out on our PSMS donor base, but we believe it would lead to a significant and long-term reduction. It is challenging to reconcile this with the suggestion that part of the reasoning behind this requirement is based on research and analysis into the <a href="#">Loyalty Penalty</a>, an issue that is not relevant to charitable donations. The lack of consideration given to this recommendation also appears to contradict the tone of the PSA Consumer Panel. On the topic of Clarity for Consumers in a purchasing environment, the PSA's Consumer Panel noted that 'a degree of proportionality should be built in, for example with charity donations.' (paragraph 21, <a href="#">PSA Consumer Panel meeting minutes March 2020</a>).</p> <p>There remains an outstanding concern regarding GDPR and PECR. Sending a message requiring a re-opt-in could constitute marketing and therefore require SMS marketing consent. There is currently no proposed mechanism for those donors who have not provided SMS consent to be asked to continue their subscription.</p>
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### Submit your response

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