

Russell Group response to proposals for a Fundraising Preference Service (FPS)

1. Summary

- The Fundraising Preference Service (FPS) should reflect the clearly distinctive nature of the relationships we develop with our alumni and the genuinely different approaches universities use in fundraising.
- As part of a risk-based approach to regulation, we believe there is a strong case for exempting universities from requirements of the FPS in all of their communications with alumni.
- However, if the FPS does ultimately cover universities then the approach needs to allow individuals a simple option to choose to remain in contact with their university or universities. This will need to be presented in a way that is clear and easy for individuals to action while allowing them to opt out of contact from fundraising by other charities. One of the key challenges is that alumni do not think of their university in the same way they think about charities and most do not realise their university is a charity.
- General communications from universities, including alumni magazines, newsletters and social media correspondence should not be subject to the FPS.
- A re-engagement option allowing individuals to resume contact at any point is a helpful suggestion and we also support the proposal to provide individuals with a regular statement of their FPS registration preferences.
- If universities are subject to FPS then it is essential this is implemented in such a way that avoids unnecessary layering of regulation and conflict between different systems, such as requirements under the Telephone Preference Service (TPS), other existing mail preference services and the new EU General Data Protection Regulations.

2. Relationships with alumni

- 2.1 We welcome this opportunity to respond to the consultation regarding the Fundraising Preference Service (FPS).
- 2.2 While we fully understand the problems that the Etherington Review sought to address, the proposals outlined in this discussion paper treat all charities the same. We consider it both desirable, as well as possible, to achieve a distinction in the FPS between universities and other charities which recognises the very different relationship universities share with their alumni.
- 2.3 Critically, our universities seek to build mutually beneficial relationships with their students that last a lifetime and our practices are very different from those that make frequent and unsolicited calls. The relationship which universities share with their alumni is unique: not only do former students have a well-established association with their *alma mater*, they are members of a community. Having experienced a sustained period of engagement through their studies, alumni are embedded within the university network – often at both the institutional level and in other networks related to their studies or interests. Maintaining these connections should therefore not be considered in the same light as a more general association an individual might have with a charitable cause.

- 2.4 We know the individuals we are making contact with, have close connections with them already and we never use agency databases. Nor do we share or sell alumni data to others. This is in contrast to the fundraising activities of other charities who typically seek to cold call members of the general public in their campaigns.
- 2.5 Our members already have in place a number of effective safeguards to ensure their fundraising activities follow best practice. For example:
- Their telephone campaigns focus on building relationships between their current students and alumni and supporters.
 - Students are trained by University staff, where they concentrate on how to build these long-term relationships before the mechanics of fundraising are explored.
 - Special focus is paid to the matter of identifying potentially vulnerable individuals on a call and ensuring the necessary sensitivity, including not making an 'ask', is applied to the conversation.
 - Student fundraisers are instructed to immediately and politely close a call if a recipient gives a clear indication they do not want the call to continue.
- 2.6 In particular, telephone fundraising opt-outs are implemented immediately and member data systems are designed to register changes daily. This ensures their fundraising and alumni-relations programmes are working with the most up to date data available.
- 2.7 More widely, universities seek to build and maintain relationships with their alumni through social media, alumni magazines and other updates. Such contacts are generally focused on news, activities, opportunities to engage with the university and generally keeping alumni informed as part of a community. Some of these may include an element of fundraising although this is typically not their primary purpose.

3. A risk-based approach to regulation

- 3.1 We encourage the Fundraising Regulator to reflect on the genuinely different approaches universities use and the long-term nature of the relationships we develop with our alumni and build this recognition into the operation of the new service. Specifically, we consider an exemption from the scope of the Fundraising Preference Service for universities to be entirely appropriate. This exemption should cover all of their communications with alumni.
- 3.2 This would not only support universities in their activities by recognising good practice, but would also help the Fundraising Regulator deliver a risk-based approach to regulation. With limited resources at its disposal, the Fundraising Regulator could then focus efforts on charities where problems need addressing and on the dissemination of good practice. Our universities would, of course, be more than happy to engage in helping the regulator with this work on good practice.
- 3.3 If, however, universities are ultimately subject to FPS then it is imperative that this avoids unnecessary layering of regulation and conflict between different systems, such as requirements under the Telephone Preference Service (TPS), other existing mail preference services and the new EU General Data Protection Regulations when they come into force in 2018. This approach would provide greater clarity to the public, reduce the administrative burden placed on universities and help create a more effective and coherent system.

4. If FPS is applied to universities

- 4.1 If the FPS requirement is applied to universities then there are a number of measures that will be important to put in place, relating to general communications, re-engagement and how individuals use the FPS to register which institutions they wish to remain in contact with.
- 4.2 One of the key challenges is that alumni do not think of their university in the same way they think about charities – and most do not even realise their university is a charity. Signing up to the FPS may therefore see them cut off from all further contact with their university without this being made clear.
- 4.3 It is vital the public are well informed regarding the organisations which will fall under the scope of the FPS and we would be happy to work with the Fundraising Regulator and FPS working group in order to develop awareness of this in the coming months.

Making it clear which institutions are covered by FPS registration

- 4.4 We welcome the proposal that the FPS will allow registrants to list any charities they would like to remain in contact with. However, it is critical that at the point of registration individuals are made fully aware of the organisations which fall under the scope of the FPS. This would ensure individuals are able to use this opportunity to maintain correspondence with their university if they so wish.
- 4.5 We would be reassured if a menu of options were to be provided to registrants at this stage and consider it appropriate for universities to feature at the top of this list given the existing relationship we share with our alumni – and with the assumption that contact can continue unless individuals make a conscious decision for contact to stop.

General communications

- 4.6 We note the intention for the FPS to focus on fundraising communication, while communications which relate to the provision of information and engagement opportunities are recognised as falling outside the scope of this new service.
- 4.7 However, the same phone calls and other contacts universities use for fundraising also help attract individuals to support with mentoring, reach out and other important activities. Therefore any restrictions placed on contact for fundraising activities puts many other areas of work at risk even where funding *per se* isn't the issue.
- 4.8 We would welcome clarification that forms of communication which are primarily focused on providing information surrounding university activity but which may also include a financial 'ask' (for example, including invites to paid events), would fall **outside** the scope of the FPS.
- 4.9 We welcome the proposals that FPS registration will not impact upon any communications related to the administration of any pre-existing financial arrangements. This will help to protect the existing relationships which individuals share with universities, regardless of their intention to terminate fundraising communication with other charitable organisations.

Social media

- 4.10 The current FPS proposals do not specifically include contact by forms of social media in their remit, and we think this is an appropriate distinction to make. Communication on many forms of social media does not allow for distinctions to be made between individuals who

have opted into the TPS or other existing preference services and those who have not, so the same will also apply to the FPS when it is introduced.

4.11 Correspondence on Twitter, for example, does not allow users to differentiate between followers on the basis of registration with preference services, given that individual users are in control of the people and institutions they receive communications from. Similarly on Facebook, individuals are the only people who can remove themselves from Facebook groups (such as alumni networks). Many social media users also prefer to use different identities online, which would make it very difficult to capture preferences in the FPS.

4.12 If social media is included under the scope of the FPS, either:

- universities may be required to block FPS registrants from all social media contacts, excluding them from other more general forms of communication, or
- alternatively it could discourage universities from corresponding via this channel regarding any fundraising requests and prevent universities from reaching alumni who are happy to receive these forms of communication.

Re-engagement

4.13 We welcome the proposal that individuals will be able to re-engage with charities following their registration with the FPS. This provides an opportunity for registrants to re-assess their decision if they become aware of organisations falling under the scope of the FPS which they intended to maintain contact with.

4.14 The proposal to provide an annual reminder to FPS registrants regarding their preferences is also helpful. This creates an opportunity for individuals to reflect on their decisions with a prompt that they can re-engage with their university or universities at any time, while still remaining registered with the FPS to avoid other charity fundraising contacts.

Identifying individuals

4.15 We support the proposal for FPS registration to be applicable to individuals as opposed to households. This would ensure that, within any given household, each individual is able to select different preferences. It would also guard against others in the same household from being cut off from contacts when this was not their intention.

4.16 The level of information collected upon registration should be sufficiently robust and detailed to ensure every individual can be identified uniquely and have their contact preferences noted. Individuals can possess different identities, hold various addresses and contact numbers as well as alter these personal details from time to time and in different circumstances. Unless a precise record is captured at registration, it may not be possible for universities to match these details with their records. This presents universities with a host of potential difficulties in implementing the FPS.

4.17 It is therefore vital the onus is placed on the individual to provide appropriate levels of information, otherwise this would leave universities open to violating the FPS through no fault of their own. While it is imperative to collect this level of detail from each individual, it is also important to recognise the significant administrative burden this places on universities who will be required to match their databases with each FPS record.