

Service Level Agreement between Payroll Giving Agencies and all other APGO members

THIS AGREEMENT IS MADE ON 8th December 2016

BETWEEN member organisations of APGO

- 1) Payroll Giving Agency (PGA) CAF, CT, CG and SG

AND

- 2) Professional Fundraising Organisation (PFO) PGiA, STC, PGT, HOPG and Bell
- 3) Donor Management Agencies (DMA) PGMS and BDM

Please note that this document is not intended to create legally binding relations between the parties but only to set out the understanding between them as to their co-operation in relation to Payroll Giving.

Definitions

Payroll Giving Agency, (referred to in this document as a PGA) – a registered charity that is regulated by HMRC to administrate, facilitate and promote Payroll Giving.

Professional Fundraising Organization (referred to in this document as a PFO) – a commercial company that solely exists to promote Payroll Giving by representing charities through the HMRC Payroll Giving Scheme. A PFO promotes, manages and liaises with all stakeholders on behalf of a company about the tax benefits of Payroll Giving and how they can support their chosen charity.

Donor Management Agency (referred to in this document as a DMA) – a commercial company that monitors and reconciles Payroll Giving on behalf of Charities.

Single Agreement List (referred to in this document as the SAL) – an agreement between a company and a Professional Fundraising Organisation (PFO), whereby the company engages a specific PFO to promote, manage and liaise with all stakeholders of their Payroll Giving Scheme.

Mechanism

The mechanism that this agreement refers to is solely for Payroll Giving (also promoted by CAF as CAF Give As You Earn). All above parties must be registered with the Information Commissioner's Office (ICO), based at Wycliffe House, Water Lane, Wilmslow, Cheshire SK9 5AF, to process Data under the Data Protection Act 1998, maintain their renewal on an annual basis and shall comply at all times with their obligations under all applicable Data Protection legislation and regulation in relation to all Data that is processed in the course of complying with this Service Level Agreement.

All interested parties must abide by the Association of Payroll Giving Organisations (APGO) Code of Practice as laid down on the APGO website at www.apgo.org.uk and the Memorandum of Understanding entered into with HM Treasury relating to Payroll Giving.

List of Work Related Personnel

All interested parties will share up to date information of all relevant contacts/dedicated account managers and job titles within their organisations. This must be up dated at least quarterly.

Client Relationship

All parties should manage the client relationship responsibly & sensitively.
PFOs should ensure confirmation of SAL documentation is shared with PGAs promptly.
PFOs should actively explain the role of the PGA and introduce/encourage contact via email introduction or face to face as appropriate.

PFOs should not discourage PGAs from forming their own client relationship unless this is specifically requested by the client – in which case the PFO must be prepared to support PGAs in carrying out specific duties in addition to their own i.e. chasing funds and listings from employers, and incomplete instructions from employers or donors. PGAs should not actively discourage employers from enlisting and using PFO services. PGAs have the right to promote other products and services to their clients as appropriate.

Single Agreement List

The Single Agreement List must be updated regularly, so that all information is current and accurate. A nominated individual from each PFO should be responsible for checking and updating the list quarterly.

PGAs & PFOs should allocate dedicated service teams to all clients on the Single Agreement List, inform each other of contact details for those service teams and be prepared to liaise to ensure smooth running of the scheme. Any changes in personnel should be advised immediately.

Each client on the Single Agreement List should be contacted and 'reviewed' by their PFO and PGA, no less than annually, to ensure that contact details are up to date and that where required any new personnel are appraised of necessary information – including a reminder of PGA and PFO roles and responsibilities.

Single Agreement Companies

All interested parties must respect the relationships between any **PFO and PGA** with regard to the Single Agreement List (SAL). The defined period of no contact, 6 months at present, will be from the first entry date of that company, regardless of any change of personnel.

PGAs or MPGs should direct queries relating to SAL employers to the relevant PFO in the first instance. It is up to each interested party to make sure that all relevant personnel in their organisation are fully briefed about the Single Agreement and its criteria.

Data Transferring

All data should be supplied in accordance with the HM Treasury MOU. PFOs should transfer data promptly and securely to the relevant PGA no later than the 15th of each month. PGAs should always act on the **most recent** data supplied.

Data should include the following fields:

Surname, First name (or initial) Employee ID/Payroll Number/Amount/Charity choice(s) & Ref Numbers and Anonymity Status – the latter should be **clearly** stated.

The preferred method of data transfer will be encrypted e mail or password protected files. The format will be agreed by all parties, and will be universally adopted.

PGAs must be proactive in pursuing missing information from PFOs, donors or employers **each month**. All parties should ensure any queries raised are answered (or acknowledged with a response to indicate when an answer may be available) within 48 hours of receipt.

For any missing information, PGAs must contact the relevant PFO for all companies on the Single Agreement List, regarding missing information in the first instance, where the PGA knows that the information has come via a PFO. The PFO concerned must respond to the PGA request within 48 hours of receipt. If, after 48 hours, no response has been given, the PGA should contact the donor or the payroll contact directly.

If a PFO raises a donor query and confirms that the funds have been sent by the employer to the PGA, along with the accompanying listing, the PGA MUST respond within 48 hours to acknowledge receipt of the query and commit to resolving the issue within one month. The PGA will give a definitive answer as to where the funds have been distributed, and endeavour to redirect the disbursement to the correct place as soon as possible.

Payroll Giving Quality Mark and National Payroll Giving Excellence Awards

PFOs should supply PGAs with all information that each PGA will need to enable them to award the correct Payroll Giving Quality Mark on all Single Agreement companies. PFOs requiring data to encourage clients to increase uptake or apply for awards should request this explicitly from the relevant PGA with proof of client consent (email thread or cc) to comply with Data Protection.

Data should be requested clearly and include a description of the exact period to be reflected i.e. calendar year or financial year – a particular month's deductions or a particular month's processing. If historic data or data across multiple payrolls is requested a period of not less than 2 weeks should be allowed for the PGA to gather this data accurately.

PFOs should not charge employers for collecting this data or processing award applications.

APPENDIX

Payroll Giving – the scheme, PFO and PGA roles explained

Payroll Giving Scheme:

A Payroll Giving scheme allows you to facilitate donations from your employees to charity direct from their pay. It is an incredibly tax-efficient method of donating, and employees can give to any UK recognised charitable organisation and many overseas charities.

Payroll Giving Agencies (PGAs):

To set up a scheme you must engage the services of a Payroll Giving Agency (PGA), an HMRC regulated charitable organisation whose function is to administer the funds raised by your employees through your Payroll Giving Scheme. Engaging their services involves signing a legally binding contract which runs for 12 months initially, and then on a 3 month rolling basis thereafter.

All PGAs offer the basic service of administering Payroll Giving donations made by your employees, and for those services, all PGAs take a small administration fee from the donation prior to disbursement in order to help with their operating costs. PGAs may also offer other services however these vary depending from organisation to organisation.

The level of the administration fee also depends on the PGA, but in all cases, this is a relatively small amount per person or donation and still makes Payroll Giving a fantastic source of income for charities. As an employer you can offer to pay the administration fee on behalf of your employees, or your employees can pay the fee themselves.

Professional Fundraising Organisations (PFOs):

In addition to your relationship with a PGA, you might also engage the services of a Professional Fundraising Organisation (PFO) whose role it is to support you in promoting your scheme to employees.

PFOs offer a variety of tools, resources and services in order to help you grow the number of employees giving to charity from their pay. Research has shown that those who use a PFO to promote their scheme (generally) find that they have a higher level of employee engagement compared to those who do not.

PFOs are paid by the range of charities that they represent to cover operating costs, via a pre-allocated fundraising budget, whilst offering their basic services to employers at no charge.

Although all PFOs offer basic promotional services, each has their own approach, tools, resources, and reach, and some may also offer other services, however these vary depending from organisation to organisation.

You can choose to work with any PFO or any PGA, at any time, for any reason.

Client Management:

You may have contact from both, or either, organisation during the life of your scheme. They often work collaboratively so that it is as easy as possible for you to run, promote and grow your scheme (for example, holding occasional joint meetings/phone calls with you or sharing data about your scheme as appropriate/authorised by you).

A full list of APGO Member PGAs and PFOs can be found on <http://www.apgo.org.uk/>