

From: Nik [mailto:nik_gupta@llf.org.sg]
Sent: Friday, 6 June, 2014 10:37 AM
To: PDPC Consultation (PDPC)
Subject: Public Consultation on Proposed Social Service Sector Guidelines

Dear Sir/Madam

The matters referred below relate to IPC/Charities, especially if they are smaller in size. Some parts of the Act might inhibit the ability of the smaller charities to raise funds. These queries/feedback are from the view-points of an IPC/Charity, which we are.

Questions are A, B, C.....as below: They are very specific and need to be understood.

A. Direct mailers for acquisition:

PART 1 OF QUESTION: Direct mailers are intended to acquire new donors. Assuming that you approach a list management company that allows you to target new donors based on a rental charge, do appeal letters sent out by the IPC to **this list violate PDPA ?**

PART 2 OF QUESTION: Would the position change if the list management company sends out the letters on your behalf? In other words the charity does not get access to the name and address.

In both cases the assumption is that there is a simple agreement that the names and addresses have been collected by the list management company from the public domain.

B. Direct mailers to existing donor data base of donors (who have already contributed)

The IPC has its own database of donors all of who have donated to the charity at some point in time. It is very difficult to drop the names of donors, who have not donated, say in the past couple or 3 years. In Charity language, we call them "LAPSED DONORS TO BE REVIVED". This is because there are some donors who choose to donate alternate years or may be after 3 years. A smaller charity needs to retain these names because of its past relationship. In view of this the definition of "ongoing relationship" cannot be restricted to a limited period. **PLEASE NOTE THAT THESE DONORS HAD DONATED TO THE CHARITY EITHER BECAUSE OF A SOLICITATION OR COMPLETELY ON THEIR OWN VOLITION WITHOUT SOLICITATION. THE KEY POINT IS THAT THE NAME AND ADDRESS OF THE DONOR IS NOT BEING SHARED WITH ANYONE, AN APPEAL IS BEING SENT TO THE SAME PERSON. WHY WOULD PDPC PLACE A RESTRICTION ON RETENTION?**

Question 1: The retention of the donor particulars is necessary. What is the advice ?

Question 2: When you are renting a name from an outside agency it would be possible that you are sending a mailer to a deceased person who was once your donor and you have deleted it because of inactivity. Smarter charities retain the name with a tag so that mailers are not sent to him/her.

Question 3: Is it mandatory to add a sentence for mailers to the charity's own donors, "If you do not wish to receive our mailers and updates, please tick the box. "The effect is that

this will not help the charity's cause as news letters or appeals state the good work you are doing and helps create/renew its cause for support.

C. RIDING ON THIRD PARTY MAILERS:

Organizations like Singapore Power invite charities to send a mailer insert that they attach with their monthly invoices for a charge. The charity does not get any access to the names and addresses. It merely sends a small insert with a donation slip attached to Singapore Power who will enclose it with the monthly utility bills send to their subscribers. Singapore Power has confirmed that they have a process that allows customers to notify SP Services to withdraw their consent from receiving mailer inserts together with their utilities bills which would comply with the "opt out" approach suggested by the PDPC in their advisory guidelines. **QUESTION: Is this adequate to protect the charity and is there any contravention ?**

D. PHOTOS

Photos are part and parcel of any Charity outdoor public event like a run or a walk. They are taken to provide the evidence of a successful walk or a run and publicity for the same event next year. **Though for the future the charity will insert a sentence: Photos will be taken during the event, the QUESTION remains, "What about events that had already taken place before July and no such sentence had been inserted ?** The charity intends to keep the photos on its website and social media page. It will be utterly disappointing as all walkers or runners had registered for the event willingly to support a charity.

E. DO NOT CALL (1)

Donation solicitation via cold calls to prospective donors are part and parcel of charitable activity. When the charity's intention is to ask for outright donations and not sell something (for example , selling a dinner table for charity, or selling a charity golf participation, selling a teddy bear for charity, **is there a difference between the two. (Outright donation calls vs the rest)**

F. DO NOT CALL (2)

Calling the Secretary or any other officer in an organization to set up appointments with the CEO or director to explore opportunities for giving. Calling up the person directly (designation may be CEO, COO, Director..etc). Are these in contravention of PDPA.

Please do call if you need to clarify any of the above.

Thank you

Yours sincerely

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