

Gifts, Gratuities & Hospitality Policy



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Section 1 – Policy Intentions

It is the policy of the Police and Crime Commissioner and Chief Constable for Gloucestershire to ethically record offers of Gifts and Hospitality thus protecting against any suggestion of inappropriate intention or influence by the donor whilst maintaining the integrity of the Office of the Police and Crime Commissioner (OPCC) and Gloucestershire Constabulary. This policy and procedures have been updated as a result of new draft guidance issued by ACPO in July 2012. This policy applies to all members of staff (police officers, police staff, special constables and volunteers).

Internal Policy Links

A number of Constabulary Policies and Procedures have relevance to compliance with the Gifts, Gratuities and Hospitality Policy, including:

- Sponsorship Handbook
- Corporate Governance Framework v7
- Management of Contractors Policy
- Business Interests How-to Guide
- Force Social Media Policy
- Estates Management
- Fraud, Corruption, Unethical Behaviour - Internal Reporting of Wrongdoing

Police officers are subject to the Standards of Professional Behaviour, the following are extracts from the Home Office guidance with regards to Honesty and Integrity;

1.15 Police Officers never accept any gift or gratuity that could compromise their impartiality. During the course of their duties Police Officers may be offered hospitality (e.g. refreshments) and this may be acceptable as part of their role. However, Police Officers always consider carefully the motivation of the person offering a gift or gratuity of any type and the risk of becoming improperly beholden to a person or organisation.

1.16 It is not anticipated that the inexpensive gifts would compromise the integrity of a Police Officer, such as those from conferences (e.g. promotional products) or discounts aimed at the entire police force (e.g. advertised discounts through police publications). However, all gifts and gratuities must be declared in accordance with the local Force Policy where authorisation may be required from a manager, Chief Officer or Police Authority to accept a gift or hospitality. If a Police Officer is in any doubt that they should seek advice from their Manager.

1.17 Police Officers never use their position or warrant card to gain an authorised advantage (financial or otherwise) that could give rise to the impression that the Police Officer is abusing his or her position. A warrant card is only to confirm identity or to express authority.

Police staff members and OPCC staff members are subject to similar Standards of Professional Behaviour.

The following guidelines ensure that there is a complete openness within the Constabulary regarding the acceptance of gifts and hospitality, and are in support of the relevant Standards of Professional Behaviour. Members of the OPCC should use these same guiding principles however the recording of offers are the responsibility of the Police and Crime Commissioner.

As a guiding principle, police officers and staff should not accept the offer of any gift, gratuity or hospitality as to do so might compromise their impartiality or give rise to a perception of such a compromise.

Alcohol

GIFTS

A small gift of alcohol given to a staff member as a genuine thank you may be accepted and declared as any other gift.

HOSPITALITY

Alcohol should not be consumed by police officers and staff when on duty. It is accepted, however that there may be occasions where officers and staff are representing the Constabulary at events such as award ceremonies, dinners or conferences where guests are offered alcohol, for example at the Police Bravery Awards. In such circumstances staff should use their discretion and ensure consumption is moderate and appropriate. Attendance at such events, including the nature of the hospitality must be made in the gifts and hospitality register.

NB – with regards to internal awards ceremonies, whilst the standards of behaviour will remain the same, there is no requirement to record these on the register.

Section 2 – Policy wording

1. Offers of a gift, gratuity or hospitality vary widely according to the circumstances and will range from readily identifiable examples of criminality (such as a breach of the Bribery Act 2010) through to instances of entirely appropriate and reasonable extension of gratitude and common courtesy which do not amount to any suggestion of any breach of integrity of any party.
2. The provisions of the Bribery Act 2010 contains two general offences covering the offering, promising or giving of a bribe (active bribery) and the requesting, agreeing to receive or accepting of a bribe (passive bribery) at sections 1 and 2 respectively. The provisions of the Act extend the definition of bribery to include seeking (or agreeing) to bring about improper performance of duties, which includes a public function such as policing. Improper performance amounts to any breach of an expectation that a person will act in good faith, impartially, or in accordance with a position of trust.
3. The Act does not prohibit reasonable and proportionate hospitality and promotional or other similar business expenditure intended to improve the image of a commercial organisation, to better to present products and services, or to establish cordial relations. It is, however, clear that hospitality and promotional or other similar business expenditure can be employed as bribes. Considerations in this regard will include the degree of lavishness of a gratuity or hospitality, its relative value, the industry norm, and the extent to which the gratuity or hospitality is connected to the business in question. The existence or otherwise of previously offered or accepted gratuities or hospitality may also be relevant.
4. During the course of their duties in the community, police officers or staff may well occasionally be offered gifts or hospitality which does not in any circumstances amount to any breach of integrity on the part of the either party. Examples of such include the provision of light refreshments as a common courtesy in line with policing duties, inexpensive promotional products from partnerships or conferences, or discounts aimed at all members of the wider police service.
5. Police officers and staff should be aware that at times a refusal to accept such an offer may cause unnecessary offence or might hinder productive working relationships. Equally, to accept such an offer may be misinterpreted and could lead to inaccurate expectations of favour or service. Where doubt exists, advice from the Professional Standards Department should be sought.
6. On occasions an employee may become the subject of a Will of a client. As with gifts this may be the way a client wishes to express gratitude for the service he or she has received. Under no circumstances shall a member of staff act as an Executor in respect of the Will of a person with whom they are connected with only in a professional capacity. In all cases the Chief Constable must be provided with full details of the circumstances relating to the bequest and will advise the employee of the action to take.
7. Nothing in this policy is meant to inhibit the offer of bona fide sponsorship for policing activities. Please refer to the Constabulary Sponsorship Guidelines.
8. The following considerations should assist police officers and staff in determining the boundaries of acceptability of any gift, gratuity or hospitality:
 - ◆ **Genuine:** Is this offer made for reasons of genuine appreciation for something I have done? Why is the offer being made, what are the circumstances, have I solicited this offer in any way or does the donor feel obliged to make this offer?
 - ◆ **Independent:** Would the offer or acceptance be seen as reasonable in the eyes of the public? Would a reasonable bystander be confident I could remain impartial and independent in all of the circumstances?
 - ◆ **Free:** Could I always feel free of any obligation to do something in return? How do I feel about the propriety of the offer? What are the donor's expectations of me should I accept?

- ♦ **Transparent:** Would I be comfortable if my acceptance of this offer was transparent to my force, colleagues, and to the public or was reported publicly? What could be the outcome for the force if this offer was accepted or declined?

9. A Gift may be accepted if it is:

- ♦ Of a trivial or inexpensive nature (for example, diaries, calendars, stationery or other small items offered during a courtesy visit or conference); - this does NOT require recording -
- ♦ A small commemorative item from visiting overseas law enforcement, governmental agencies or similar organisations; - this DOES require recording -
- ♦ A bona fide, unsolicited and inexpensive gift of thanks from members of the public or victim of crime offered to individual officers or teams in genuine appreciation of outstanding levels of service and where the offer of such a gift or hospitality cannot be courteously refused in a manner that does not cause offence or embarrassment to the organisation or individual making the offer. - this DOES require recording -

10. A Gift should not be accepted if it is:

- ♦ From external contractors or companies tendering for work with the force or wider service;
- ♦ A cash payment (other than donations to specific police charities or police supported charities);
- ♦ A financial reward resulting from the publication of articles relating to a member of staff's role or duties as a member of a police force.
- ♦ Gratuities which amount to individual gain from a points scheme when purchasing services, items or fuel on behalf of the constabulary or in a professional capacity are not acceptable.

11. A Gratuity may be accepted if it is:

- ♦ An offer or discount negotiated through the Police Federation, The Superintendents' Association, or other staff association or trade union; - this does NOT require recording -
- ♦ A discount to public service workers including members of the police service offered on the basis that the organisation in question has a large customer base of a trivial or inexpensive nature (and the force has given explicit approval for such an offer); - this does NOT require recording -

12. Hospitality may be accepted if it:

- ♦ Extends to the impromptu provision of light refreshments during the course of policing duties; i.e. a conventional meal provided during the course of a working day by another police force or partner agency in either law enforcement or community safety. - this does NOT require recording -

13. Hospitality may also be accepted if it:

- ♦ Is a conventional meal and is in accordance with the recipient's duties, for example attendees at meeting, seminar or conference organised by an external body (other than in cases as described below); the annual dinner of a representative association or local authority which are limited to isolated or infrequent occasions and is in the interests of the force to attend. - this DOES require recording (Even If Declined) -
- ♦ A conventional meal provided at a conference or seminar which is factored in the cost of the event paid for by the Constabulary, is not considered hospitality for the purpose of this policy.

14. Hospitality will not be acceptable if it;

- ◆ Amounts to regular free or discounted food or refreshments on duty, or off duty where the hospitality offered is made because the recipient is a police officer or member of police staff (other than in paragraph 11, bullet point 1);
- ◆ Includes a degree of lavishness which is outside of the industry norm or is beyond any sense of common courtesy or reasonableness.
- ◆ Gratuities which amount to individual gain from a points scheme when purchasing services, items or fuel on behalf of the constabulary or in a professional capacity are not acceptable.

Section 3 – Procedural guides

Procedure for Recording an Entry on the Force Register

In cases of doubt advice can be sought from the professional standards department on extension 4305 or by email to [‘ProfessionalStandardsDepartment’](#) in the directory.

With effect from 1st April 2012 a central force register will be maintained by the Professional Standards Department. All offers of Gifts or Hospitality requiring recording, accepted OR declined, will be placed on this register.

All offers and acceptances of gifts or hospitality requiring recording must be declared by completing the online form by following this link;

[Gifts or Hospitality declaration form](#)

The form can also be accessed through the front page of the force intranet home page or under ‘Online Forms’ then ‘non-operational’:- ‘Gifts or Hospitality declaration form’.

The following information will be required to complete the form;

- ◆ The date of the offer
- ◆ The member of staff to whom the offer was made
- ◆ The business area (LPA/Department)
- ◆ The person or body making the offer, including address and phone number
- ◆ The gift or hospitality offered, and the approximate value
- ◆ The full circumstances of the offer
- ◆ Whether the Gift or Hospitality was accepted

The completed form will be forwarded to the appropriate authorising person to approve the request (even if already taken).

The appropriate authorising person will be;

- ◆ LPA - In the case of officers and staff on Local Policing Areas - the LPA Commander.
- ◆ Non LPA - In the case of officers and staff up to the rank of Chief Inspector – a head of department, or an officer of at least the rank of Superintendent responsible for the business area to which the person receiving the offer is posted or employed.
- ◆ Officers or staff above the rank of Chief Inspector – Chief Officer responsible for the person

receiving the offer.

- ♦ Chief Officers – the Chief Constable.

Each completed form will be assessed by the Head of the Professional Standards Department for compliance and quality assurance. Following approval the offer will be recorded on the force register.

Register of Gifts and Hospitality

Annually, every May, a redacted version of the previous 12 months will be published on the force Internet site under the Freedom of Information section.

The register will be reviewed quarterly by the Chief of Staff and shared with Chief Officers at COG.

All queries in relation to the register should be directed to the head of the Professional Standards Department.

Section 4 - Relevant Legislation: (*Human rights/diversity/Health & Safety/any other specifics*)

Nil

Section 5 - Related References:

Code of Ethics 2014
Standards of Professional Behaviour
Police Complaints and Misconduct Regulations 2012
Police Staff Handbook 2017

Section 6 - Identification, Monitoring and Review

The Policy should enable consistent and effective decision making. Where operational or managerial circumstances require any decision making that would adversely affect adherence to the policy or procedure, in line with the 'Statement of Intent' of the constabulary and the police service 'Code of Ethics', if an officer/ police staff member believes that they need to make a decision that steps outside of policy and procedure they should do so, provided that:

- the officer/ police staff member raises the matter at the earliest opportunity (and ideally before any such decision is made) with their line manager declaring their intended (or actual) course of action if notification is made after the decision is taken,
- produces, in a timely manner, a signed and dated written explanation of why it is/ was deemed necessary to step outside of policy and procedure, and
- maintain an adequate record of this written rationale for audit purposes appropriate to the circumstances/ contravention

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SIA – if required	SIA Sign Off		SIA Review
<i>FREEDOM OF INFORMATION - This version will be placed on the public domain website</i>			
<i>If this version CANNOT be placed on the public domain website, please provide a FOI redacted version.</i>			

Previous policies can be found with the Governance and Compliance team.