



Policy & Procedure Title:	Gifts, Hospitality and Gratuities
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Authorised Professional Practice (APP) Guidance:

This Policy has been checked against APP and there is none in relation to the subject matter of this Policy. The National Police Chiefs' Councils Guidelines on Charging for Police Services (April 2018, Version 12.3) has contributed toward the subject matter of this policy and procedure.

<p>1.0</p>	<p>POLICY AIMS</p>
	<p><u>Aims of the Policy</u></p> <p>Police officers and staff are subject to clear standards of professional behaviour, these standards outline that staff are honest, act with integrity and do not compromise or abuse their position.</p> <p>All officers and staff are reminded that the Code of Ethics sets out the principles that underpin the conduct and behaviour that is expected from all police officers and members of police staff employed by Gwent Police. The Code states under “Honesty and Integrity”, “neither solicit nor accept the offer of any gift, gratuity or hospitality that could compromise your impartiality.”</p> <p>The purpose of this Policy and Procedure is to provide guidance on the boundaries for the acceptability of gifts, gratuities and hospitality that Gwent police officers and staff are offered in the course of their duties.</p> <p>All offers of gifts and hospitality must be declared in line with this procedure, including those that are declined, so that all offers can be recorded in the Force Register, regardless if they are accepted or not.</p> <p>It is important that officers and members of police staff do not find themselves beholden to any individual or organisation to such an extent that they are unable to impartially undertake their role within the Police Service.</p> <p>The procedure outlined below is in place to prevent allegations of corrupt practices or improper relationships with members of the public or a corporate body that could arise from the offer of gifts, gratuities or hospitality.</p> <p>It has been written in accordance with the ACPO guidance.</p> <p>This Policy/Procedure is not in place to address specific acts of bribery that would be categorised as criminality under the Bribery Act 2010.</p> <p>A frequently asked questions section can be found at the end of this procedure.</p>
<p>2.0</p>	<p>PROCEDURE</p>
	<p><u>Background</u></p> <p>In April 2012, the Association of Chief Police Officers published Guidance on Gifts, Gratuities and Hospitality, this provided police officers and staff with an ethical framework in which to determine the boundaries of acceptability around gifts, gratuities and hospitality. This guidance was reinforced in 2014 by the Standards of Professional Behaviour outlined in the Code of Ethics.</p>

In relation to the offer of gifts, gratuities and hospitality, the Professional Standards Department (PSD) will maintain a register. This register will be under the direction and control of the Head of PSD, who will ensure the scrutiny, auditing and governance of the register.

The detail in the register will be anonymised which will allow it to be outward facing, it will be published by the Force quarterly on the Gwent Police Web site.

An unedited version will be sent to the PCC quarterly for consideration and review. The Force has in place an internal audit process that will review the Policy and the detail contained within the register.

All Police Officers and members of Police Staff who are offered (regardless if this offer is accepted or not) any gift, gratuity or hospitality (unless within the exemptions outlined below) are required to notify the Chief Constable and to await authorisation for acceptance in line with the below procedure.

Notification should be made through a line manager, Inspector or Police Staff Equivalent, using the report template found at Appendix 'A' of this procedure, or on "Force Forms" and the PSD Web page on The Beat.

When completed by the applicant and their line manager it should be sent electronically to:

PSD@gwent.pnn.police.uk

Guiding Principles

The principle of this procedure is that staff decline an offer of any gift, hospitality and gratuity if acceptance may compromise their impartiality or create a perception of such compromise.

Offers of a gift, gratuity or hospitality can vary widely according to the circumstances. This can range from a genuine offer of a small gift in appreciation of good work to an individual staff member/officer or team of staff/officers through to criminal offences of bribery or Misconduct in Public Office.

Gwent Police recognises that there are times when to decline an offer of a gift, gratuity or hospitality may cause offence or hinder productive working relationships with our communities or specific members of the community (for example a victim or a victim's family).

Equally, to accept such an offer could be mis-interpreted and could lead to inaccurate expectations of favour or service.

Where doubt exists, the item(s) should be retained and booked into property, or the offer of hospitality deferred, whilst advice from the Professional Standards Department is sought.

In all cases:

The offer of a gift, gratuity or hospitality should be declared irrespective of whether or not it is accepted or rejected by the recipient.

This demonstrates integrity, particularly in instances where there is a concern over the motivation behind the offer of the gift, gratuity or hospitality.

Considerations for Staff / Line Managers / Authorising Officers

In deciding whether an offer of a gift, gratuity or hospitality can be accepted, the following principles should be considered by the staff member/ line manager / authorising officer when processing the application:

- **Genuine** - Is the offer made for reasons of genuine appreciation for something I have done, without any encouragement from me?
- **Independent** – If I accept it, would a reasonable bystander be confident that I could be independent in doing my job?
- **Free** - Could I always feel free of any obligation to do something in return for the donor?
- **Transparent** – Would I be comfortable if the gift was transparent to my Force, colleagues and to the public?

Gifts, Hospitality and Gratuities

Gifts

Gifts may be accepted in the following circumstances with no requirement to record on the register, if they are:

- Of a trivial or inexpensive seasonal nature (e.g. pocket diaries, calendars, stationery or other small items offered during a courtesy visit or conference).
- Gifts from overseas governments or organisations which are small commemorative items.

Gifts may only be accepted with approval and recorded on the register if they are:

- Bona fide, unsolicited and inexpensive gifts of thanks from members of the public or victims of crime may be offered to individual officers or teams in genuine appreciation of outstanding levels of service.
- For avoidance of doubt alcohol can be accepted and retained as long as it is proportionate to the circumstances. Each gift of alcohol will be considered on a case by case basis.

Consumption of perishable Items prior to obtaining authorisation

It is recognised that some offers made in good faith will be of perishable food and drink that will spoil if stored awaiting authorisation.

In cases such as this, as long as the offer is proportionate to the role the officer is fulfilling then immediate consumption will be appropriate.

The individual officer or staff member will be expected to apply this test using their common sense and should seek guidance from the on duty supervisor prior to consumption.

For example: A box of 6 cream cakes worth £5 offered to a response officer to share with their shift colleagues may be proportionate, however, the offer to the same officer of a three course meal worth £50 would not.

This should be declared for inclusion on the register in line with this procedure.

Gifts will not be accepted from:

- Outside contractors or companies likely to become contractors, other than in exceptional circumstances and with the prior approval of an ACPO officer.
- Where the gift is more substantial and of greater monetary value, such as an item of jewellery or a watch, or where money is directly offered, it should not be accepted.
- The frequent acceptance of any gift, irrespective of value, from the same source should not be accepted.
- Good advice and to avoid offence or hinder working relationships, would be to steer persons making such offers towards charity donations, for example, the Police Dependants Trust.

For more information please see office@pdtrust.org

Hospitality

A similar principle applies to the offer of hospitality in that:

Hospitality may be accepted in the following circumstances with no requirement to record on the register, if they are:

- Impromptu offer of light refreshments during course of policing duties (such as a cup of tea/coffee and a biscuit).
- As part of your duties and during the course of a working day, such as attending meetings, seminars or conferences, a meal with a drink (non-

alcoholic) is provided by another police force, partner agency or external body, in either law enforcement or community safety.

Hospitality may only be accepted with approval and recorded on the register if they are:

- Offers of hospitality such as the annual dinner of a representative association or local authority
- Particular caution should be exercised when offers of hospitality are made by members of the media or ex police officers or staff employed as private investigators or legal representatives.
- Acceptance of frequent, regular hospitality, particularly from the same source, will in any case be in breach of this Procedure.
- Invitations to sporting, cultural or social events (other than on official duties), offers of free travel and invitations to conferences or other events, especially in exotic locations, should only be accepted in exceptional circumstances and then only with the prior approval of a member of ACPO.
- Consideration should always be given to the nature of the hospitality, as well as the character and position of the person making the 'offer' and indeed any other persons who have received similar invitations.

Hospitality will not be accepted if it:

- Amounts to regular free or discounted food or refreshments whether on or off duty
- Includes a degree of lavishness which is outside of the industry norm or is beyond any sense of common courtesy or reasonableness.

Such offers of hospitality should not be accepted and should be declared to be recorded on the register in line with this procedure.

Gratuities

A gratuity is a monetary benefit, often given in response to someone who has performed a service.

A gratuity may be accepted if it is in relation to:

- Offers or discounts negotiated through the Police Federation, The Superintendents' Association, or other staff association or trade union and supported and publicised by the Force (such as the cycle to work and the GWP Rewards schemes).

	<p>There is no requirement to declare any such gratuity on the force register</p> <p>Gratuities which amount to individual gain from a points scheme when purchasing items, fuel, travel or accommodation in relation to staff employment are not acceptable, mechanisms are in place for these to be captured corporately.</p> <p><u>No police officer or member of police staff will seek to obtain, negotiate or accept any individual or team discounts or benefits by virtue of their membership (temporary or otherwise) of Gwent Police.</u></p> <p><u>Warrant Cards</u></p> <p>The use of the Warrant or Identification Cards, for the purpose of obtaining discounts, favourable service, treatment, or access to places of entertainment, except on police business, is absolutely forbidden.</p>
3.0	LEGISLATIVE FRAMEWORK
	<p><u>Legislation & Guidance</u></p> <p>Code of Ethics ACPO 2012 Guidance on Gifts, Gratuities and Hospitality Police Act 1996/Police Regulations Prevention of Corruptions Acts 1906 and 1916 Bribery Act 2010. Freedom of Information Act 2000 Data Protections Act 1998</p> <p>Gwent Police will take firm action where breaches of the 2010 Bribery Act are concerned. This could include disciplinary procedures leading to dismissal, termination of contract and criminal prosecution.</p> <p>It is also important to note that failure to register in line with the directed requirements of the procedure could constitute a breach of the Code of Ethics for Police Officers and the Disciplinary Procedure for Police Staff which could potentially lead to disciplinary proceedings. In the most serious cases criminal proceedings could be considered. This applies equally to Police Officers and Police Staff.</p>
4.0	HUMAN RIGHTS
4.1	<p>This Procedure has been checked for compliance with the Human Rights Act with particular reference to the legal basis of its precepts, the legitimacy of its aims, the justification and proportionality of the actions intended by it, that it is the least</p>

	intrusive and damaging option necessary to achieve the aims and that it defines the need to document the relevant decision making processes and outcomes of actions.
5.0	WELSH LANGUAGE STANDARDS
5.1	This Policy aims to comply with the Welsh Language Standards in terms of dealing with the Welsh speaking public, impact upon the public image of the organization and the implementation of the Welsh Language Standards.
6.0	HEALTH AND SAFETY
6.1	The Gwent Police Service Dynamic Risk Assessment should be applied as necessary. A training package in the use of risk assessment will be provided to all police personnel if requested or required.
7.0	REVIEW & RESPONSIBILITIES
7.1	The policy business owner maintains outright ownership of the policy and any other associated documents and in-turn delegate responsibility to the department or unit responsible for its continued monitoring.
7.2	The policy should be considered a 'living document' and subject to regular review to reflect upon any Force, Home Office, NPCC, legislative changes, good practice (learning the lessons) both locally and nationally.
8.0	LINKS TO OTHER POLICIES/ PROCEDURES/ DOCUMENTS <ul style="list-style-type: none"> • Code of Ethics • Data Protection • Disciplinary Procedure for Police Staff • Equal Opportunities • Fairness at Work • Freedom of Information • Information Security • National Decision Model • Professional Standards Reporting Concerns (Whistleblowing) • Suspension of Police Officers and Police Staff
9.0	CODE OF ETHICS
9.1	This policy/procedure is underpinned by the Code of Ethics for Policing which has been considered in the creation of this policy/procedure

10.0

APPENDICES – A - Notification of the Offer of Gifts & Hospitalities

10.1

**Notification of the offer of gifts /
hospitality**

Person Submitting

Name

Staff / Collar Number

Department

Contact Number

Intended recipient/s (if different from above)

Name / Team

Staff / Collar Number

Department

Donor Details

Name

Address

Details of Gift / Hospitality offered

Details of gift eg,
chocolates

Estimated Value

Reason why gift
offered (please
provide details of
good work etc.)

Please email the completed form to PSD@gwent.pnn.police.uk and await authorisation of acceptance of the gift.

Frequently Asked Questions:

Question

Can you provide a rough idea of the cost for what would be regarded as an “acceptable” gift that can be retained and what isn’t? I know it is on a case by case basis but rough guides would be helpful.

Answer

It is considered that the value of a “gift” would be £10 or under generally to be considered acceptable to be retained.

Anything with a greater value than this would subject to greater scrutiny and it is less likely that permission to accept it will be granted.

All gifts should be retained in the workplace until permission to accept is gained.

There is a requirement on the force to publish details of all gifts offered (including those that are not accepted) in an anonymised form on the Force external website so all offers of gifts, irrespective of value should be declared so that the Professional Standards Department can comply with this requirement.

Question

I have been invited to a formal dinner by my local community council, they have included a plus one with the invite, is this ok to accept?

Answer

Any hospitality that extends beyond normal work (conferences or training courses that include a buffet, being offered a tea or coffee whilst taking a statement etc.) will need to be declared and permission given to attend. This applies even if you are attending in your capacity as a member of Gwent Police.

It is important to gain the permission prior to attending the event, particularly where you are offered an invitation for a guest or the event involves the consumption of alcohol.

Question

Through work I have organised a free raffle and we had a significant number of gifts donated as prizes by members of the public and local business, is it ok to accept these prizes?

Answer

The force has to assure itself that any gift or donation accepted for whatever purpose is not likely to result in a negative impact on the force’s reputation or lead to a perception of impartiality.

Any donation should be genuinely made, freely given and transparent, with no expectation of reward or favour. When determining whether a donation can be accepted, consideration will be given to whether the donor intends to use the fact that they have donated a prize to promote their own interests (such as via social media).

It is unlikely that any gifts given towards a raffle would be refused but they would still need to be declared and permission granted to accept prior to the raffle or event taking place. This would allow the details of the donation to be recorded on the register and published on the Force Web site.

Question

What should I do if I get offered small items of refreshments whilst on duty where I have to make a decision to accept or not immediately?

Answer

There is no requirement to declare occasional offers of what would be considered conventional hospitality and refreshment (tea/coffee/biscuits) offered in the course of your day to day duties, this would include buffets at training and conference events. These can be accepted without the need to declare.

However acceptance of frequent or regular hospitality from the same person(s) or business(es) is not acceptable.

Question

Recently one of my twitter followers (a member of the public) came to the station with approximately 10 boxes of chocolates for my team. It was clear to me as being a show of support and generosity from a member of the public who wanted to say thank you.

Answer

It is normal for members of the public to want to express their thanks to our staff, especially in the Christmas period. Whilst there are unlikely to be any issues in relation to the acceptance of gifts of this nature, they still need to be declared, recorded and published on the Force Web site for public scrutiny.

Question

My local Morrison's supermarket have sent a tin of chocolates and a tin of biscuits to the station for the staff at the station

Answer

Generally, permission to accept gifts from local organisations and companies will be accepted when they are reasonable to the circumstances. These still need to be declared, especially when from a local store or business. This will allow them to be recorded on the register and published on the Force Web site.

When determining whether a gift from a company can be accepted, consideration will be given to whether the company intends to use the giving of the gift to promote their own interests (such as via social media).