



<u>Policy Title</u>	Gifts and Gratuities, Hospitality, Discounts, Travel and Other Potential Conflicts of Interest
<u>CCMT Sponsor</u>	Deputy Chief Constable
<u>Department/Area</u>	Professional Standards

1.0 Rationale

- 1.1 It is of paramount importance that the public has faith in the honesty and integrity of the Police service. All police officers and police staff should recognise that, in order to retain public confidence, the occasions when the receiving or giving of gifts or hospitality is acceptable must be limited and properly controlled.

2.0 Intention

- 2.1 For the purpose of this advice, the guidance set out below deals with all staff in relation to their *employment* with the Thames Valley Police and not as private individuals or as representatives of other organisations.

3.0 General Principles

- 3.1 No personal gifts or hospitality may be accepted from any tenderer, contractor, supplier or anyone else who may be seeking any benefit, in relation to any specific contract or other matter, from any member of staff or the force.
- 3.2 The guidance set out below is not intended to affect existing arrangements in relation to Force Sponsorship Policy. The occasions when the force will accept gifts, loans and commercial sponsorship to promote or assist in promoting initiatives and activities relative to operational policing will continue to be determined in accordance with that existing policy.
- 3.3 Nothing in the guidance set out below is intended to affect traditional and customary exchanges and hospitality solely between police forces.

3.1 GIFTS

- 3.1.1 Members of Thames Valley Police may provide and accept gifts in order to:
- i) recognise appreciation of visitors to the force.
 - ii) reflect customary exchanges between professional organisations.

- iii) recognise support and contribution to the policing effort of the force.
- 3.1.2 In the case of **modest or small gifts**, no express permission is required nor is there a requirement to record details of receipt in the relevant register. However, common sense dictates that personal integrity should be everybody's watchword in whatever activity people are involved. If in doubt the gift should be declined or express permission sought.
- 3.1.3 Modest or small gifts are those which do not, or appear not to, exceed **£15 in value** and will be:
- i) generally of a promotional character, eg pens, diaries, calendars, key rings, logobugs, conference packs etc.
 - ii) a "one off" gift, and not part of a series which, by their cumulative effect, will exceed the £15 threshold.
 - iii) other gifts, excluding cash, where refusal would cause needless offence and the giver merely wishes to express thanks for advice, help or co-operation received.
- 3.1.4 Where the value of any gift given, offered or received is, or appears to be, in excess of **£15** but under **£50**, if possible prior approval should be obtained from the relevant Area Commander or Departmental Head. In addition, details of the gift and the attendant circumstances must be registered on Areas or within Departments (see Paragraph 5.0).
- 3.1.5 If such an offer involves an Area Commander or Departmental Head then he/she will seek approval from the appropriate Chief Officer and this will be recorded in the Headquarters register.
- 3.1.6 Where the value of any gift given, offered or received is, or appears to be **£50 or over prior approval** must be obtained from a Chief Officer. Full details of the gift must be registered with the Force Secretariat.
- 3.1.7 Where such a gift is offered without prior notice and it has not been possible to obtain the necessary approval, this may be granted retrospectively where the gift does not, or appears not to, exceed **£50** in value, is otherwise within the general terms of this guidance and it would be embarrassing to the organisation to refuse it. Such approval should be sought at the earliest opportunity.

3.2 HOSPITALITY

3.2.1 Receiving Hospitality

Officers and police staff may **receive** hospitality, providing it meets the following requirements:

- (i) Reciprocating expected hospitality from formal visitors to the force.

NOT PROTECTIVELY MARKED

- (ii) Hospitality involved when members of the force attend seminars, presentations and other functions in their professional capacity
- (iii) In developing relations with private/public organisations to gain support for, or to further the development of, police related activity.
- (iv) Accepting recognition of achievement in police related aspects.

3.2.2 Normally these will encompass:

- invitations from commercial organisations to attend public, trade, professional or business events including opening ceremonies, trade shows, celebrations etc.
- invitations to social/sporting events in recognition of support, advice or guidance provided.

3.2.3 Members of staff should properly consider all of the circumstances before accepting any hospitality offered. This is particularly so in relation to social and sporting events.

3.2.4 With the exception of paragraph 3.2.1 (ii) above, where an offer of hospitality is made, permission must be sought from Area Commanders and Heads of Department prior to the event (or a Chief Officer as the case may be) and the nature of the hospitality registered. The event must be deemed suitable by the manager involved.

3.2.5 Examples of unacceptable hospitality would be offers of accommodation, holidays, foreign trips or events of an inappropriate nature such as invitations to cabarets, shows or night-clubs, or where questions may be raised about the appropriateness of the relationship between the force and the host, e.g. in the course of competitive tendering process.

3.3 Providing Hospitality

3.3.1 Officers and police staff may **provide** hospitality:

- reciprocating hospitality from formal visitors to the force.
- acknowledging or encouraging support provided to furthering policing effort.
- recognising achievements of staff, e.g. award ceremonies, etc.
- providing a forum for the exchange of skills and experience relating to police/professional related activities.

3.3.2 Normally these will encompass:

NOT PROTECTIVELY MARKED

- working lunches provided so the parties can continue to discuss business.
- light buffets for awards and other ceremonies, launches etc.
- invitations to official force functions.

3.3.3 Area Commanders and Heads of Department may authorise reasonable expenditure on **providing hospitality within these guidelines**. In the case of any doubt, advice must be sought from the relevant Chief Officer.

3.3.4 The **provision** of hospitality **within the above guidelines** is exempt from registration.

3.3.5 Items such as tea, coffee, biscuits etc which are offered to members of the force or to visitors as a matter of common courtesy are outside the scope of this policy.

3.4 DISCOUNTS

3.4.1 Individual Discounts and Benefits

3.4.2 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 Thames Valley Police. All staff are reminded that it is a disciplinary offence to improperly use or attempt to use their position within Thames Valley Police for private advantage. Warrant or identity cards must only be used for purposes directly related to the discharge of official duties or in circumstances otherwise approved - for example approved travel arrangements.

3.4.3 There will be occasions however where bona fide organisations offer discounts and other benefits to police officers and police staff generally. Nothing in this policy is intended to restrict this practice as long as the benefits and discounts available are open and documented and available to the service in general and not confined to an individual or select groups of individuals. **The key question must always be - 'Does the offer in question prejudice the impartiality or integrity of individual officers, or the force or the Service as a whole or might it be seen to do so by members of the public'**.

3.4.4 A key principle will be whether the discount would be available to other large organisations.

3.4.5 To ensure complete openness, all discounts and benefits available to police officers and police staff will be registered in the manner set out below.

3.4.6 National Discounts and Benefits

The Staff Associations will maintain a list of nationally negotiated discounts and benefits available to their members.

3.4.7 Force Discounts and Benefits

The Staff Associations will also maintain a list of any discounts and benefits which they have negotiated in their capacity as the staff association representatives exclusively for the benefit of Thames Valley Police officers and police staff.

3.4.8 Local Discounts and Benefits

3.4.9 Area Commanders and Departmental Heads will maintain a list of locally negotiated discounts and will be responsible for ensuring that no such agreements are likely to bring the force or the service into disrepute.

3.4.10 These will include any negotiated arrangements with local suppliers of discounted meals to on duty police officers. No agreements should be negotiated individually by police officers. Any such offer to Thames Valley Police should be made in writing to the business manager, be open and be very clear that there are no additional expectations of Thames Valley Police as a consequence.

3.4.11 The list of available local and national discounts and benefits will be maintained and freely accessible.

3.4.12 All requests for advice or guidance in respect of discounts and benefits should be referred via the Staff Association, Area Commander or Departmental Head to the Professional Standards Department and, where necessary, to the Deputy Chief Constable.

3.5 RETURNING OR REFUSING GIFTS OR HOSPITALITY

3.5.1 In some cultures, the giving and receiving of gifts is customary. In order not to cause offence on either side it is recommended that staff familiarise themselves with the customs of the culture prior to visiting. Advice may be sought from local Community and Race Relations Officers. To give an example, in Taiwanese business culture it is customary to give gifts particularly if the gift carries a corporate logo. Or in Chinese culture it is customary to refuse a gift three times before accepting. If there is any concern about what may or may not be acceptable, advice and approval should be sought from line managers.

3.5.2 Where facts later come to light that would have disqualified the officer or member of police staff from accepting the gift or hospitality, had they been known at the time, every effort will be made to return the gift or decline the hospitality.

3.5.3 In such cases and even if it is no longer possible to return or refuse the gift or hospitality, the individual concerned should submit a full report of the circumstances via their Area Commander or Departmental Head for the attention of the head of the Professional Standards Department.

3.6 REGISTERING GIFTS AND HOSPITALITY

- 3.6.1 All gifts and specific, as opposed to general, offers of hospitality, accepted or declined will be registered on Area and within Departments as required within the terms of this guidance.
- 3.6.2 Registration will be monitored and overseen by the Professional Standards Department who will be responsible for ensuring that all registrations comply with the policy contained within this guidance and are reasonable in the light of the prevailing circumstances.

3.7 DISCOUNTED/FREE TRAVEL SCHEMES

- 3.7.1 This issue is linked to the current debate on terms and conditions and the recruitment and retention of officers. Such schemes should not be negotiated unilaterally by individuals. Any proposal should be submitted to the Director of Resources, who will advise on the appropriate way ahead.
- 3.7.2 All schemes will be registered with the Director of Resources who will arrange for such schemes to be reviewed on an annual basis.

3.8 OTHER CONFLICTS OF INTEREST

- 3.8.1 It is the responsibility of every member of Thames Valley Police to identify where there is a potential conflict of interest when dealing in their official capacity with any individual, group of individuals or organisation.
- 3.8.2 As a general rule it would be appropriate to disclose a conflict of interest where it is possible that any other person could form a perception that such a conflict of interest might exist.
- 3.8.3 Such a potential conflict should be reported to the line manager who will advise on the best course of action to take. Such decisions should be recorded and attached to any relevant file. No adverse inference will be drawn by Thames Valley Police if a conflict or potential conflict of interest relating to membership of any lawful organisation is brought to the attention of line managers.
- 3.8.4 There may be potential for a conflict of interest to arise where individuals are members of any particular organisation - especially if membership of such an organisation is not openly recognised, or acknowledged.
- 3.8.5 In accordance with a Home Office instruction a register of Freemasonry is maintained by the Head of Human Resources. Completion is voluntary.

3.9 MONITORING OF POLICY

- 3.9.1 The relevant force, area and departmental registers relating to hospitality and gifts will be reviewed annually by the Chair of the Police Authority Professional Standards Sub-Committee.
- 3.9.2 Following that review, this policy will subsequently be reviewed on an annual basis - also taking into account any problems which may have been encountered.

4.0 Challenges/ Representations

Head of Professional Standards
Police Headquarters
Oxford Road
Kidlington
OX5 2NX

5.0 Guidance, Procedures & Tactics

5.1 GIFTS

5.1.1 Members of Thames Valley Police may provide and accept gifts in order to:

- i) recognise appreciation of visitors to the force.
- ii) reflect customary exchanges between professional organisations.
- iii) recognise support and contribution to the policing effort of the force.

5.1.2 In the case of **modest or small gifts**, no express permission is required nor is there a requirement to record details of receipt in the relevant register. However, common sense dictates that personal integrity should be everybody's watchword in whatever activity people are involved. If in doubt the gift should be declined or express permission sought.

5.1.3 Modest or small gifts are those which do not, or appear not to, exceed **£15 in value** and will be:

- i) generally of a promotional character, eg pens, diaries, calendars, key rings, logobugs, conference packs etc.
- ii) a "one off" gift, and not part of a series which, by their cumulative effect, will exceed the £15 threshold.
- iii) other gifts, excluding cash, where refusal would cause needless offence and the giver merely wishes to express thanks for advice, help or co-operation received.

5.1.4 Where the value of any gift given, offered or received is, or appears to be, in excess of **£15** but under **£50**, if possible prior approval should be obtained from the relevant Area Commander or Departmental Head. In addition, details of the gift and the attendant circumstances must be registered on Areas or within Departments (see Paragraph 5.0).

5.1.5 If such an offer involves an Area Commander or Departmental Head then he/she will seek approval from the appropriate Chief Officer and this will be recorded in the Headquarters register.

5.1.6 Where the value of any gift given, offered or received is, or appears to be **£50 or over prior approval** must be obtained from a Chief Officer. Full details of the gift must be registered with the Force Secretariat.

5.1.7 Where such a gift is offered without prior notice and it has not been possible to obtain the necessary approval, this may be granted retrospectively where the gift does not, or appears not to, exceed **£50** in value, is otherwise within the general terms of this guidance and it would be embarrassing to the organisation to refuse it. Such approval should be sought at the earliest opportunity.

5.2 HOSPITALITY

5.2.1 Receiving Hospitality

Officers and police staff may **receive** hospitality, providing it meets the following requirements:

- (v) Reciprocating expected hospitality from formal visitors to the force.
- (vi) Hospitality involved when members of the force attend seminars, presentations and other functions in their professional capacity
- (vii) In developing relations with private/public organisations to gain support for, or to further the development of, police related activity.
- (viii) Accepting recognition of achievement in police related aspects.

5.2.2 Normally these will encompass:

- invitations from commercial organisations to attend public, trade, professional or business events including opening ceremonies, trade shows, celebrations etc.
- invitations to social/sporting events in recognition of support, advice or guidance provided.

5.2.3 Members of staff should properly consider all of the circumstances before accepting any hospitality offered. This is particularly so in relation to social and sporting events.

5.2.4 With the exception of paragraph 3.2.1 (ii) above, where an offer of hospitality is made, permission must be sought from Area Commanders and Heads of Department prior to the event (or a Chief Officer as the case may be) and the nature of the hospitality registered. The event must be deemed suitable by the manager involved.

5.2.5 Examples of unacceptable hospitality would be offers of accommodation, holidays, foreign trips or events of an inappropriate nature such as invitations to cabarets, shows or night-clubs, or where questions may be raised about the appropriateness of the relationship between the force and the host, e.g. in the course of competitive tendering process.

5.3 Providing Hospitality

5.3.1 Officers and police staff may **provide** hospitality:

- reciprocating hospitality from formal visitors to the force.
- acknowledging or encouraging support provided to furthering policing effort.
- recognising achievements of staff, e.g. award ceremonies, etc.
- providing a forum for the exchange of skills and experience relating to police/professional related activities.

5.3.2 Normally these will encompass:

- working lunches provided so the parties can continue to discuss business.
- light buffets for awards and other ceremonies, launches etc.
- invitations to official force functions.

5.3.3 Area Commanders and Heads of Department may authorise reasonable expenditure on **providing hospitality within these guidelines**. In the case of any doubt, advice must be sought from the relevant Chief Officer.

5.3.4 The **provision** of hospitality **within the above guidelines** is exempt from registration.

5.3.5 Items such as tea, coffee, biscuits etc which are offered to members of the force or to visitors as a matter of common courtesy are outside the scope of this policy.

5.4 DISCOUNTS

5.4.1 Individual Discounts and Benefits

5.4.2 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 Thames Valley Police. All staff are reminded that it is a disciplinary offence to improperly use or attempt to use their position within Thames Valley Police for private advantage. Warrant or identity cards must only be used for purposes directly related to the discharge of official duties or in circumstances otherwise approved - for example approved travel arrangements.

5.4.3 There will be occasions however where bona fide organisations offer discounts and other benefits to police officers and police staff generally. Nothing in this policy is intended to restrict this practice as long as the benefits and discounts available are open and documented and available to the service in general and not confined to an individual or select groups of individuals. **The key question**

must always be - 'Does the offer in question prejudice the impartiality or integrity of individual officers, or the force or the Service as a whole or might it be seen to do so by members of the public'.

5.4.4 A key principle will be whether the discount would be available to other large organisations.

5.4.5 To ensure complete openness, all discounts and benefits available to police officers and police staff will be registered in the manner set out below.

5.4.6 National Discounts and Benefits

The Staff Associations will maintain a list of nationally negotiated discounts and benefits available to their members.

5.4.7 Force Discounts and Benefits

The Staff Associations will also maintain a list of any discounts and benefits which they have negotiated in their capacity as the staff association representatives exclusively for the benefit of Thames Valley Police officers and police staff.

5.4.8 Local Discounts and Benefits

5.4.9 Area Commanders and Departmental Heads will maintain a list of locally negotiated discounts and will be responsible for ensuring that no such agreements are likely to bring the force or the service into disrepute.

5.4.10 These will include any negotiated arrangements with local suppliers of discounted meals to on duty police officers. No agreements should be negotiated individually by police officers. Any such offer to Thames Valley Police should be made in writing to the business manager, be open and be very clear that there are no additional expectations of Thames Valley Police as a consequence.

5.4.11 The list of available local and national discounts and benefits will be maintained and freely accessible.

5.4.12 All requests for advice or guidance in respect of discounts and benefits should be referred via the Staff Association, Area Commander or Departmental Head to the Professional Standards Department and, where necessary, to the Deputy Chief Constable.

5.5 RETURNING OR REFUSING GIFTS OR HOSPITALITY

5.5.1 In some cultures, the giving and receiving of gifts is customary. In order not to cause offence on either side it is recommended that staff familiarise themselves with the customs of the culture prior to visiting. Advice may be sought from local Community and Race Relations Officers. To give an example, in Taiwanese business culture it is customary to give gifts particularly if the gift carries a corporate logo. Or in Chinese culture it is customary to refuse a gift three times before accepting. If there is any concern about what may or may not be acceptable, advice and approval should be sought from line managers.

5.5.2 Where facts later come to light that would have disqualified the officer or member of police staff from accepting the gift or hospitality, had they been known at the time, every effort will be made to return the gift or decline the hospitality.

5.5.3 In such cases and even if it is no longer possible to return or refuse the gift or hospitality, the individual concerned should submit a full report of the circumstances via their Area Commander or Departmental Head for the attention of the head of the Professional Standards Department.

5.6 REGISTERING GIFTS AND HOSPITALITY

5.6.1 All gifts and specific, as opposed to general, offers of hospitality, accepted or declined will be registered on Area and within Departments as required within the terms of this guidance.

5.6.2 Registration will be monitored and overseen by the Professional Standards Department who will be responsible for ensuring that all registrations comply with the policy contained within this guidance and are reasonable in the light of the prevailing circumstances.

5.7 DISCOUNTED/FREE TRAVEL SCHEMES

5.7.1 This issue is linked to the current debate on terms and conditions and the recruitment and retention of officers. Such schemes should not be negotiated unilaterally by individuals. Any proposal should be submitted to the Director of Resources, who will advise on the appropriate way ahead.

5.7.2 All schemes will be registered with the Director of Resources who will arrange for such schemes to be reviewed on an annual basis.

5.8 OTHER CONFLICTS OF INTEREST

5.8.1 It is the responsibility of every member of Thames Valley Police to identify where there is a potential conflict of interest when dealing in their official capacity with any individual, group of individuals or organisation.

5.8.2 As a general rule it would be appropriate to disclose a conflict of interest where it is possible that any other person could form a perception that such a conflict of interest might exist.

5.8.3 Such a potential conflict should be reported to the line manager who will advise on the best course of action to take. Such decisions should be recorded and attached to any relevant file. No adverse inference will be drawn by Thames Valley Police if a conflict or potential conflict of interest relating to membership of any lawful organisation is brought to the attention of line managers.

5.8.4 There may be potential for a conflict of interest to arise where individuals are members of any particular organisation - especially if membership of such an organisation is not openly recognised, or acknowledged.

- 5.8.5 In accordance with a Home Office instruction a register of Freemasonry is maintained by the Head of Human Resources. Completion is voluntary.

5.9 MONITORING OF POLICY

- 5.9.1 Each Local Police Area and Department currently maintains a register where all gifts, gratuities and hospitality offers are recorded, whether accepted or declined. In due course, in addition to Departmental registers, just one register per BCU will be required. BCU Commanders and Departmental Heads are responsible for the maintenance of their register, and are also responsible for ensuring that their staff are aware of this policy and the need to use the register. It is the responsibility of individual staff members to ensure that they notify their Department Head or BCU Commander of the necessary details, usually by report form Gen46.
- 5.9.2 BCU Commanders and Departmental Heads are responsible for the upkeep of the registers. The template for a register is available in electronic form from the Professional Standards Department.
- 5.9.3 Any alleged breaches of this policy will be reported to the Deputy Chief Constable, who will then decide on a proportionate response to the circumstances outlined. If the alleged breach concerns a member of the CCMT, the report should be made to the Chair of the Police Authority.
- 5.9.4 The relevant force, area and departmental registers relating to hospitality and gifts will be reviewed on a six monthly basis by the Deputy Chief Constable, and annually by the Chair of the Police Authority Professional Standards Sub-Committee.

6.0 Communication

- 6.1 Unison and the Police Federation have been consulted about this policy. PAG members have agreed the content of the policy. All BCU Commanders and Department Heads have been emailed about their responsibilities.

6.2 Communications Strategy

- 6.2.1 This policy will be published on the Policy Management Unit and the Professional Standards Department Intranet sites.
- 6.2.2 There will be a link from the Policy and Procedures Intranet site to the Professional Standards Intranet site. Links will be made to existing ACPO/HMIC/Home Office policies and guidance documents relating gifts and gratuities and any legislation governing this subject.
- 6.2.3 The Head of Professional Standards has regular meetings with BCU Commanders and Departmental Heads, and will ensure they regularly remind their staff of the need to comply with this policy.

7.0 Compliance and Certification

7.1 Human Rights Certification

(i) Legal Basis

This policy document is not based on any legal basis. It is founded on what is considered to be good working practice.

Human Rights Articles Engaged

This policy has been drafted and audited in accordance with the Human Rights Act 1998 and the principles underpinning them.

(ii) Human Rights Articles Engaged

It is considered to have no potential for engaging any of the Articles of the Convention.

(iii) Prohibition of Discrimination

This does not have the potential to discriminate.

7.2 Diversity Impact Assessment

This policy has had a Diversity Impact Assessment carried out, it has a LOW impact on the six stands of diversity.

7.3 Data Protection

The registers do not contain any sensitive personal data, and will only contain the information given by the individual staff member, together with the manager's decision. The data is held for the purpose of complying with this policy, and no other reason. Information will be held for seven years, to bring it into line with the Professional Standards Department destruction policy.

7.4 Freedom of Information Act

This policy is available to the general public via the Thames Valley Police website.

7.5 Protective Markings

This policy does not require a level of Protective Marking.

7.6 Health & Safety at Work

There are no health and safety issues connected with this policy.

8.0 Monitoring and Review

8.1 Links to Best Value/PPAF/Priorities/Performance Indicators

This policy has links with the Best Value Review of ICT within the Best Value 5 year Review Programme.

This policy does not relate to the Policing Performance Assessment Framework.

8.2 Review Process

This policy will be reviewed annually, in January, by the Inspector, Professional Standards Department. The review will take account of the following criteria:-

- * changes in legislation
- * any Home Office Guidance issued on the subject
- * changes to ACPO guidance
- * representations made by any of the Staff Associations
- * representations made by individuals
- * relevant Equality data