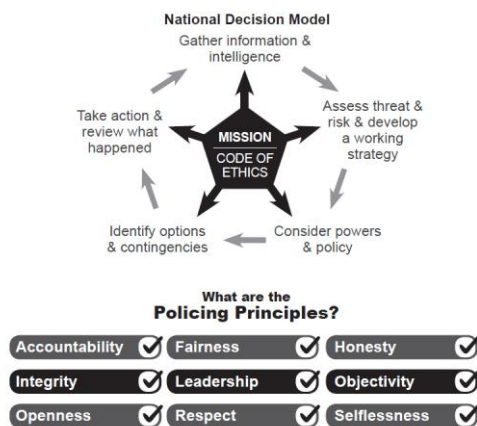




Review of Gifts and Hospitality

Required for:	<i>Joint Audit Committee Meeting</i>
Security Classification:	Official
Handling information if required:	N/A
Suitable for publication:	Yes
Title:	Review of Gifts and Hospitality
Version:	V.1.0
Purpose:	For the Committee to review the records of Surrey Police and the Office of the Police & Crime Commissioner in respect of recording and monitoring gifts and hospitality. For completeness, the report also covers disclosable interests.
ACPO / Strategic Lead:	Alison Bolton Chief Executive OPCC
National Decision Model compliance:	Yes
Date created:	15/06/2018
Date to be reviewed:	

AUTHOR:	
Name:	Bob Lockyer
Job Title:	Joint Force Vetting Manager
Telephone number:	01273-404475
Email address:	Robert.lockyer@sussex.pnn.police.uk



1. Background

The Joint Audit Committee's Terms of Reference state that it must, *"review compliance within the Surrey Police Force and Office of the Surrey Police & Crime Commissioner, with the policies and procedures governing declarations of interest and the receipt of gifts and hospitality"*.

2. Policies for Gifts, Hospitality and Declarations of Interest

Contract Standing Orders set out the processes for recording receipt of gifts and hospitality and also for declaring interests in a contract.

3. Office of the Police & Crime Commissioner – Arrangements for Recording Gifts and Hospitality

The Police and Crime Commissioner (PCC) and his staff are required to provide information about any gifts or hospitality which they are offered in a business capacity. This includes disclosure of those that are accepted or declined. It includes hospitality and gifts from members of the public, or local and national organisations. The PCC and his staff must notify the PCC's Support Officer in writing within 28 days of receiving a gift or hospitality.

Any gifts or hospitality received are regularly published on the website for transparency. The Office of the PCC also maintains a paper record. The Elected Local Policing Bodies Specified Information Order (2012) as amended, requires PCCs and relevant office holders to *"register each offer of a gift or hospitality..., indicating whether the offer was accepted or refused"*.

Police & Crime Commissioner David Munro publishes details of any gifts and hospitality records here:

http://www.surrey-pcc.gov.uk/wp-content/uploads/2012/09/OPCC-Gifts-and-Hospitality-Register_2018_June_web.pdf

4. Chief Constable's Gifts and Hospitality

All gifts and hospitality forms completed by the Chief Constable are reviewed by the Chief Executive of the Office of the Police & Crime Commissioner prior to receipt by the Head of the Professional Standards Department and publication on the Force website.

5. Surrey Police – Arrangements for Recording Gifts and Hospitality

Surrey Police has in place a comprehensive policy for recording gifts and hospitality for its officers and staff. This is attached at Para 12 below. Surrey Police publishes a sanitised version of the completed pro-forma on its website. This is the link:

<http://www.surrey.police.uk/About-Us/Your-right-to-information/Published-information>

All completed forms are reviewed and kept by the Joint Force Vetting Unit.

6. Disclosable Interests

Surrey Police maintains a register of disclosable interests for senior staff and officers of the Force and the PCC (Superintendent and above and all staff in the highest salary band). This records any interests or transactions between an officer or member of staff (and their families) with those who hold positions of influence. For example, a firm where the officer or staff member is a director or has a beneficial interest.

The Office of the PCC is obliged to publish the register of interests for the PCC, any Deputy and for senior staff. Links are shown below:

http://www.surrey-pcc.gov.uk/wp-content/uploads/2012/09/David-Munro_2018.pdf

http://www.surrey-pcc.gov.uk/wp-content/uploads/2012/09/Alison-Bolton_2018.pdf

Information on disclosable interests is included within both the PCC & Chief Constable's Statement of Accounts, as required by the CIPFA Code. The requirement is to disclose all material transactions with related parties, which have potential to influence the Group or to be controlled or influenced by the Group.

To comply with this the PCC and Chief Constable consider all related parties and disclose those that are material to the Statement of Accounts. In collating this data all staff and officers at the equivalent of Superintendent or above are asked annually to complete and sign a related party disclosure, which includes details relating to a spouse, partner, close family and household members.

Examples disclosed in the Statement of Accounts are:

- Central government due to the value of grants received
- Surrey Borough Councils through the precept income
- Collaborative arrangements
- Pension providers

There are examples where staff or officers have noted a related party, however they have found to be irrelevant to the preparation of the Statement of Accounts and therefore have not been disclosed.

Examples are:

- Parish councillor
- Chair of parish council sports & social club
- Close friend of the director of the catering company, however the individual employee had no involvement in the contract

The requirement to disclose an interest is also included in the Contract Standing Orders, which states "Any officer who has either a potential or established interest in any Contract or Agreement placed or to be placed for or on behalf of Surrey/Sussex Police shall: - declare that interest immediately to their Line Manager by completing a Declaration of Interest/Hospitality Pro-forma (refer to respective Force's policy

and procedures) and immediately remove this/herself from the Process. The Line manager shall inform the Head of Joint Procurement Service that the above action has taken place.

7. Oversight by the Audit Committee

The Committee's role is to review compliance within the Surrey Police Force and Office of the Surrey Police & Crime Commissioner, with the policies and procedures governing declarations of interest and the receipt of gifts and hospitality.

Records of gifts and hospitality for the Office of the PCC are presented to the Committee on an annual basis.

8. Risks / Equalities

None arising.

9. Human Rights implications (if applicable)

No specific implications are raised by this report.

10. Recommendations

That the Committee notes the report.

11. Attachments / Background Papers

Procedure

Governing Policy

[Anti-Fraud and Anti-Corruption Policy \(Subject to Change\)](#)

Introduction

The aim of this document is to outline the procedure to accepting and recording of gifts, discounts, hospitality and declarations of interest.

Procedure Statement

The acceptance of gifts, discounts, gratuities or hospitality can undermine personal and professional integrity and can lead to allegations of corrupt practices or improper relationships with members of the public or corporate bodies.

1. Application

This Procedure applies to:

- Police Officers
- Police Staff
- Police Community Support Offices (PCSOs)
- Police Support Officers (PSOs)
- Special Constabulary
- Volunteers

2. Introduction

2.1 Police officers and staff must act with honesty and integrity and must not compromise or abuse their position. They should never solicit the offer of any gift, gratuity, favour or hospitality in any way connected to or arising from their role within the police service, whether on or off duty.

2.2 No officer or member of staff will produce a warrant card or ID card, or wear whole or part uniform, to obtain discounts, goods or services unless as part of an approved arrangement (see 3 below). This includes using a warrant or ID card to gain free access to nightclubs, sporting events or other commercial premises.

2.3 Officers and staff must not accept any gifts or hospitality from journalists/members of the press.

2.4 Accepting free or discounted food or services whether on or off duty is unacceptable if the provision is because the donor is aware of the recipient's role.

2.5 There is a clear distinction between a gift, which may include something as simple as a hot beverage, creating an implicit obligation on the part of the police and refreshment that is an integral part of routine policing and builds public confidence. This procedure should not be interpreted in a way that would,

for example, prevent neighbourhood staff from drinking a cup of tea with a Surrey resident in the course of their duties in the community. Officers and staff should be sensitive to accepting hospitality in commercial establishments where even the perception of an inducement might occur and adversely affect the Force's reputation.

2.6 This procedure should not be interpreted in a way that would, for example, prevent neighbourhood staff from accepting light refreshments as a common courtesy in line with policing duties, or inexpensive promotional products from partnerships or conferences. It is important however, that officers and staff be fully aware that in circumstances where an unsolicited offer of a personal gift or gratuity is made, the assumption should be that it will be politely declined.

2.7 Staff must not accept personal gifts of money (or gift vouchers) in the course of their duties or employment (including in any off duty situation) where the gift is related to, or may appear to have a connection to their duties or employment, under any circumstances, except as a donation to the Force. Where an offer of a gift of cash is made it will be declined, reported to a supervisor and a gift & hospitality pro forma document will be submitted.

2.8 This Policy does not apply to individuals acting in their capacity as part of any approved secondary employment or declared business interest.

3. Discounts from Retailers

3.1 Many large employers provide schemes whereby their staff can obtain discounted products from a variety of different businesses. This is a common practice and is often seen as part of an incentive or retention package. Within Surrey Police we have the Stop & Save scheme but over time various other companies have offered a variety of different discounts to our staff. The police service must guard against any suggestion that staff could be influenced by a deal offered by a particular company.

3.2 In line with the Professionalism Action Plan, agreement has been made that it is appropriate for officers and staff to be eligible for discounts provided to them because of their roles within Surrey Police subject to a set of principles.

3.3 The following principles apply;

- All offers will be approved by PSD before circulation through the Information Hub and the Surrey Police Federation website.
- Discounts should apply to all Surrey Police personnel irrespective of rank or position (although there can be geographically targeted offers in individual cases).
- The discounts should not be disproportionate.
- Agreements will only be approved where there is no likelihood of bringing the force into disrepute.
- When applying for an approved discount personnel may use their staff ID/warrant card as identification.

3.4 The Head of PSD will assess any offers as to whether there is potential (either perceived or actual) for it to be detrimental to public confidence.

3.5 Where an offer is made by a single business (i.e. not part of a chain) it will generally not be accepted; this would effectively be a more 'personal' offer where there is a greater opportunity for direct

contact and more danger of the personnel providing a different service as a result. While it is accepted this could benefit larger retailers rather than small local businesses, a consideration must be given to potential risks of corruption.

3.6 Where an offer is made it should not be exclusively for Surrey Police personnel, but should be part of a wider scheme where other local businesses or services also receive the same benefit (i.e. All emergency services personnel including military). There may be some cases where the discount is only applicable to Surrey Police but this should be very rare and will only be applicable where the goods/service offered is directly relevant to the role.

4. Raffle Prizes

4.1 No officer or member of staff should approach corporate bodies, local businesses or business partners seeking the donation of prizes for a raffle.

5. Uniform and Equipment as gifts

5.1 Requests for uniform items to be given as gifts to visiting Forces or to take as gifts when visiting other Forces will be refused due to the security risks linked to the impersonation of Police officers.

6. Sponsorship

6.1 The scope of this policy does not relate to any formal arrangements around sponsorship

7. Loyalty Cards//Point Schemes

7.1 There can be no individual gain when purchasing items or fuel for work purposes. Advantages such as reward point schemes/air miles etc. cannot be collected

8. Procedure

8.1 All offers of gifts and hospitality will be recorded whether they are accepted or not. A Gifts and Hospitality proforma must be submitted within seven working days of receipt of any gift or hospitality.

8.2 In determining whether hospitality should be accepted the following should be considered:

- The value and significance of the gift/hospitality?
- Who is offering the hospitality and what is the motive of the person offering the gift//hospitality?
- What are the background circumstances?
- What does the donor expect in return?
- Would this compromise or could it create the perception of favour in the way a service is provided or is to be provided in the future?
- Is there a business relationship in existence where the provision and acceptance would compromise an individual's impartiality or may give the impression of doing so?
- Is it considered to be in the interest of the Force to accept or attend?
- Is acceptance likely to damage the reputation of Surrey Police?

8.3 If presented with a gift/hospitality, which it would be discourteous to refuse, it may be accepted and the donor should be advised that permission to retain the gift/accept the hospitality will be sought.

8.4 If the value is less than £50 it may be authorised by the line manager. Anything of a value in excess of £50 must be referred to the Head of Joint Force Vetting Unit for approval.

9. Declaration of Interest

9.1 The Force holds existing contracts with suppliers and at times will actively undertake ongoing procurement for goods and services.

9.2 The offer of a gift or hospitality perceived to be with the object of obtaining preferential treatment should be declined. In such instances the gifts and hospitality pro forma will be completed.

9.3 Any officer or member of staff who has either a potential or established interest in any Contract or agreement placed or to be placed for or on behalf of Surrey Police must:

- Immediately declare that interest to their line manager and complete a hospitality, gifts and declaration of interest pro forma
- Immediately remove him/herself from the process

10. Recording

10.1 A single register will be maintained and a sanitised version will be available on the Surrey Police website to demonstrate transparency.

11. Relevant law

11.1 The Bribery Act 2010 (which came into force 1 July 2011) describes Bribery as 'Intending to bring about (or reward) improper performance by another person of a relevant function or activity'. It states bribery is offering, promising or giving an advantage knowing or believing that acceptance of the advantage itself constitutes improper performance. The Act states:

- 'Advantage' is financial or other advantage;
- Where a person agrees to receive or accepts something of value, bribery occurs whether or not the person actually receives it;
- The test is what 'a reasonable person' in the UK would expect;

A public official (including a police officer) cannot receive hospitality from an individual that would leave the officer beholden to that individual.