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Published

| Event History

**Policy owned by People Services  
Gifts, Gratuities, Hospitality and Discounts****1. Policy Purpose and key drivers**

The instruction and guidance in this Policy and its procedure includes the offer or acceptance of a gift, gratuity, hospitality or discount which compromises or may be seen by others as compromising the integrity of any member of staff, or where there is the potential to compromise their integrity, in respect of their employment, role or responsibilities within the Force. It applies to such offers or acceptance regardless of whether they take place during working/duty time or otherwise. As well as its intention of securing compliance with the respective Standards of Professional Behaviour and the criminal law, it is intended that the application of the policy will protect staff from actual or perceived unethical conduct and promote public trust and confidence in the Force and its members, and between its members. It should be applied with common sense & sound professional judgement.

It applies to all staff: police officers; police staff including contracted, temporary, agency and casual staff; special constables and all voluntary staff. It applies to benefits which are offered, irrespective of whether they are accepted or declined by those members of staff, and includes where gifts are offered through or received by a third person but where there is a direct or indirect benefit to the member of staff or where there is an intention or a reasonably foreseeable likelihood of a perception of an intention, to influence a member of staff in a way which would compromise the relevant 'Standards of Professional Behaviour'.

It would be impossible to define every possible circumstance in which a member of the Force may be offered a gift, gratuity, hospitality or discount which may compromise or be seen as potentially compromising their roles and responsibilities within Staffordshire Police. This Policy and its related procedure provides police officers and police staff with a framework to determine the boundaries of acceptability regarding the receipt of gifts, gratuities, discounts and hospitality together with a recording procedure which enables individuals and the force to be open and transparent in respect of the offer and if applicable, the acceptance of such benefits.

The force has provided an electronic Register for the recording of the **offer** (even if not accepted) and **acceptance** of benefits, hospitality, gifts or discounts which are required to be recorded under the terms of this Policy and Procedure. The icon which provides access to the register is located on the 'workspace' section of the Force IT system. The Head of the Performance and Standards Unit has responsibility to ensure scrutiny, auditing and governance of the Register in line with wider corporate governance of matters of integrity and counter corruption.

The Policy and Procedure is intended to secure compliance with :

- 'Standards of Professional Behaviour' for police officers, contained in the Schedule to the Police (Conduct) Regulations 2012 and related Home Office Guidance and
- 'Standards of Professional Behaviour' for police staff as agreed by the Police Staff Council.

- ACPO Guidance on Gifts, Gratuities and Hospitality (December 2012)

The particular standards are:

#### **Police Officers**

**'Police Officers are honest , act with integrity and do not compromise or abuse their position .....**

**'.....Police Officers neither solicit nor accept the offer of any gift , gratuity or hospitality that could compromise their impartiality. Police Officers always consider carefully the motivation behind such an offer and any risk of being seen or perceived to be improperly beholden to a person or an organisation .'**

**'During the course of their duties Police Officers may be offered light or inexpensive refreshments and this may be acceptable as part of their role . It is not anticipated that inexpensive or trivial 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 through police publications). All gifts, gratuities and hospitality other than those mentioned above must be declared in accordance with local Force Policy where authority to accept may be required from a manager, a Chief Officer or local policing body. If a Police Officer is in any doubt over the propriety of such an offer , they should seek advice from their Manager.'**

#### **Police Staff**

**'Police staff are honest , act with integrity and do not compromise or abuse their position .....**

**'.....Police staff never accept any gift or gratuity that could compromise their impartiality. During the course of their work police staff may be offered hospitality (e.g. refreshments) and this may be acceptable as part of their role . However, police staff 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.'**

**'It is not anticipated that inexpensive gifts would compromise the integrity of a member of police staff, 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 local Force policy where authorisation may be required prior to accepting the offer of a gift or hospitality. If a police officer or member of police staff is in any doubt then they should seek advice form their manager .'**

If the line manager of a police officer or member of police staff is unavailable or , having spoken to their manager, doubt still exists as to whether the benefit should be accepted, the advice from the Head of the Performance and Standards Unit should be obtained.

**The Standards for police officers and police staff also contain the following :**

**'Police officers / police staff never use their position or their warrant or identification card to gain an unauthorised advantage (financial or otherwise) that could give rise to the impression that the police officer/member of police staff is abusing his or her position. A warrant or identification card is only to confirm identity or to express authority.'**

In addition to the above, it is not anticipated that the following benefits would compromise integrity if they were accepted within the terms and the spirit in which they are offered:

- Discounts and benefits which have been agreed with Unison, the Police Federation, Superintendents' Association or NARPO;
- Corporate discounts which have been offered generally to members of the force e.g. those currently offered by companies such as Orange or Virgin.

In addition to safeguarding compliance with the above Standards and ACPO Guidance, this Policy is also intended to assist in the prevention of breaches of the Bribery Act 2010. The Act 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, impartiality, or in accordance with a position of trust

Any member of the Force who feels that they are adversely affected by the Policy or its Procedure, or decisions made under either, would have access to the Force Grievance Procedure.

#### Related Documents

Links to related documents: [Gifts, Hospitality and Discounts \(Procedure\)](#)  
**Gatekeeper** - the Author suggested the following Procedure document(s) to link to. [Gifts and Gratuities](#)

#### Relevant Dates and Review Period

|                   |            |
|-------------------|------------|
| Effective Date:   | 06/10/2017 |
| Review Date:      | 09/10/2018 |
| Review Frequency: | Annually   |

#### Policy Basis and Implications

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|---|--|
| 2. Legal Basis:                             | Police (Conduct) Regulations 2012.<br>Standards of Professional Behaviour (for police officers issues under the above regulations).<br>Standards of Professional Behaviour (for police staff) issued by the Police Staff Council under Joint Circular 54.<br>Local Government Act 1972.<br>ACPO Guidelines on Gifts, Gratuities and Hospitality.<br>Bribery Act 2010   |
| 3. Management of Police Information (MoPI): | <b>MoPI Policing Purpose:</b><br>Preventing the commission of offences, Any duty or responsibility arising from common or statute law<br><b>MoPI Review, Retention and Disposal addressed as follows:</b><br>The information collected and retained under this policy and its related procedure consists of records of gifts, hospitality, discounts and benefits which have been offered, accepted or declined by members of the force whilst acting in the discharge of their duties or work, or in respect of which the offer of the benefit has a connection with them being employed by Staffordshire Police, and which are not such benefits as are authorised under this policy and its procedure. The records will be regularly monitored within the Professional Standards Department and |

will be retained for up to six years or longer if necessary. The records are held on an electronic database and the details recorded are the minimum necessary in order to have an effective record. The names recorded are those of the member of the force being offered the benefit, whether accepted or declined, together with the details of the person/organisation offering the benefit. The policy and procedure will be reviewed annually.

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|--------------------------------|--|
| 4. Associated Benefits:        | <p>Promote public trust and confidence in Staffordshire Police through the avoidance of the receipt of benefits by members of Staffordshire Police which give rise impropriety or to the appearance of impropriety</p> <p>To provide staff with clarity regarding what is unacceptable in respect of offers/acceptances of gifts, gratuities, hospitality and discounts which have/may have a relationship to their role or employment within the Force.</p> <p>To provide members of the Force with a source of reference to assist their decision making and to enable them to avoid breaching the requirements of Standards of Professional Behaviour with respect to the acceptance of benefits which have a connection to their employment or role within the Force.</p> <p>The effectiveness of the Policy will be monitored by Professional Standards and will be assessed against:</p> <ul style="list-style-type: none"> <li>- the number of instances where members of the Force are found to have breached the relevant Standards of Professional Behaviour by not complying with the Policy or its procedure.</li> <li>-The number of occasions where feedback is received from staff that the Policy or its procedure did not provide adequate clarity for the circumstances in which they or others found themselves.</li> <li>- Any other critical comments received from internal sources or from the public (the Policy will be published externally).</li> </ul> |
| 5. Consultation:               | <p>Consultation has taken place with:</p> <p>Divisional Commanders, Superintendents, Support Group and Departmental Heads.</p> <p>LPT Comanders.</p> <p>Human Resource Managers.</p> <p>Head of Support Services.</p> <p>Staff associations.</p> <p>Employee Relations Manager.</p> <p>Head of Professional Standards.</p> <p>Staffordshire Police Multicultural Association.</p> <p>Staffordshire Police Disability Support Group.</p> <p>Staffordshire Association for Women in Policing.</p> <p>Staffordshire Police Lesbian, Gay, Bisexual and Transgender Group.</p>  |
| 6. Financial Implications:     | <p>There are no financial implications associated with this Policy or its related procedure.</p>   |
| 7. Human Resources / Training: | <p>There are no human resources or training implications associated with this Policy or its Procedure.</p>   |
| 8. Associated Policy:          | <p>None.</p>   |

#### FOI, Human Rights and Equality Impact Assessment Indicators

|       |                                     |                                |  |
|-------|-------------------------------------|--------------------------------|--|
| FOIA: | Release to Public                   |                                |  |
| ECHR: | Compliant with proportionality test | Articles engaged:              | Article 8 Right to respect for Private and Family life |
| EIA:  | Compliant                           | Compliant with Code of Ethics: | Yes  |

#### Indexing

|             |                        |
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| Categories: | Professional Standards |
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