

DURHAM CONSTABULARY



Altogether Better Policing

Gifts, Gratuities and Hospitality Policy

Application	Police Officers and Staff
Policy Owner	Business Services
Version	4
Date of PUG approval	14.08.12
Last Review Date	19.12.17
Next Review Date	19.12.20
Protective Marking	Not Protectively Marked
Publication Scheme Y/N	Yes
Durham Constabulary Freedom of Information Act Publication Scheme	

1.0 Gifts, Gratuities and Hospitality Policy

2.0 Purpose and Scope

- 2.1 Police officers and staff are subject to standards of professional behaviour, which specifically states that they are honest, act with integrity and do not compromise or abuse their position.
- 2.2 The purpose of this policy is to provide guidance on the boundaries for acceptability of gifts, gratuities and hospitality.

3.0 The Legal Basis and Legitimate Aims

- 3.1 Durham Constabulary is required to comply with the requirements of the Police Act 1996/Police Regulations, Prevention of Corruptions Acts 1906 and 1916, and Bribery Act 2010.
- 3.2 Durham Constabulary will seek to take the least intrusive action which fits within the working policy criteria and will act fairly and proportionately to achieve the desired purpose.
- 3.3 Durham Constabulary will operate within the policing principles as defined by the College of Policing Code of Ethics and in support of this our policies will seek to promote Accountability, Fairness, Honesty, Integrity, Leadership, Objectivity, Openness, Respect and Selflessness.

4.0 Policy Statement

- 4.1 The policy of the police service is that staff decline an offer of any gifts, hospitality and any other forms of gratuities, as acceptance may compromise their impartiality or create a perception of such compromise.
- 4.2 However there are some occasions when to decline would cause offence or embarrassment to the organisation or individual making the offer.
- 4.3 The below provides details on the boundaries of acceptability. If there is any doubt advice should be sought from the Head of Professional Standards Department.

5.0 **Acceptance of Gifts, Hospitality or Donations**

5.1 The following should be considered to assist police officers and staff in determining the boundaries of acceptability of any gift or hospitality:

- I. **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?
- II. **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?
- III. **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?
- IV. **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?

6.0 **Hospitality**

6.1 **Hospitality may be accepted if it:**

- I. extends to the impromptu provision of light refreshments during the course of policing duties – **no requirement to declare on central register**
- II. is 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 - **no requirement to declare on central register.**
- III. 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; the annual dinner of a representative association or local authority which are limited to isolated or infrequent occasions and can be demonstrable in the interests of the force to attend - **details should be declared on the central register**

6.2 **Hospitality will not be acceptable if it:**

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

However such offers of hospitality should be declared on the central register

7.0 **Gifts**

7.1 **A gift may be accepted if it is:**

- I. of a trivial or inexpensive nature (for example, marketing materials eg diaries, calendars, stationary or other small items offered during a courtesy visit or conference) - **no requirement to declare on central register**
- II. are small commemorative items from visiting overseas law enforcement or governmental agencies or similar organisations
- III. bona fide, unsolicited and inexpensive gifts, including personalised 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 – **advice should be sought from Professional Standards as to whether or not it may be kept by the recipient, passed on to a charity/ 3rd party or returned, acknowledgment provided to recipient and details declared on the central register**

7.2 **A gift should not be accepted if it is:**

- I. from external contractors or companies tendering for work with the force or wider service
- II. cash payments, vouchers or money in kind (**other than donations to specific police charities or police supported charities – details of which should be recorded on the central register and forwarded to the appropriate charity**)
- III. financial rewards resulting from the publication of articles relating to the intended recipient's role or duties as a member of a police force

7.3 **All such offers of gifts should be declared on the central register.**

7.4 **For avoidance of doubt alcohol can be accepted and retained as long as it is proportionate to the circumstances. Each gift should be considered on a case by case basis.**

8.0 **Gratuities**

8.1 **A gratuity may be accepted if it is:**

- I. are offers or discounts negotiated through the Police Federation, The Superintendents' Association, or other staff association or trade union
- II. discounts 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)
- III. free travel arrangements for officers and staff on active duty if approved and formally negotiated through the force

8.2 **There is no requirement to declare any such gratuity on the force register.**

- 8.3 Gratuities which amount to individual gain from a points scheme when purchasing items, fuel, travel or accommodation are not acceptable but mechanisms are in place for these to be captured corporately.

9.0 **ADMINISTRATION**

- 9.1 A central register is held for the recording of offers of gifts, gratuities or hospitality irrespective of whether accepted or rejected by the recipient. The register is held electronically on the force intranet, view only. It is updated by Headquarters administration branch. The register will be published on the force internet under FOI on a quarterly basis.

- 9.2 The following details should be sent to the 'gifts notifications inbox' for recording on the register:

- Date of receipt / offer of gift/hospitality
- Description
- Estimated value
- Reason for gift/ hospitality where known
- Disposal of gift/hospitality where appropriate
- Whether permission to accept was sought or granted

- 9.3 The register will be subject to regular audit by the Counter Corruption and Integrity Unit (CCIU) in line with their Tasking and Co-ordinating process or at any time as a consequence of intelligence received into the CCIU. The register will be cross checked against other registers and databases audited by the CCIU i.e. Notifiable Associations, Procurement process, Business Interests register etc.

10.0 **APPEALS PROCEDURE**

If an individual wishes to appeal against any decision made in connection with this policy, they should write to or email, the Chief Constable at the below address within 14 days of receiving a decision. The appeal will be considered and consultation will take place with appropriate individuals to establish all facts before a decision with regard to the appeal is made. A response to the appeal will be provided in writing within 10 working days of receipt of the appeal. Should this period not be achievable the individual will be notified in writing when a decision will be communicated.

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