



Gifts and Gratuities Policy

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Table of Contents

1. Policy Section
2. Standards
3. Procedure Section
 - 3.1 Standards of Professional Behaviour
 - 3.2 Gifts
 - 3.3 Hospitality
 - 3.4 Benefits
 - 3.5 Considerations
 - 3.6 Register of Gifts and Hospitality
4. Consultation and Authorisation
5. Version Control

1 Policy Section

1.1 Vision of the Strategic Alliance

1.1.1 Working together as it can offer the best opportunity to:-

- Develop service delivery to the public
- Ensure delivery against the PCCs' Police and Crime Plans
- Retain a local policing identity
- Ensure resilience around our Strategic Policing Requirement
- Maximise value for money
- Maximise opportunities for the ongoing personal/professional development of our staff

1.1.2 This approach also satisfies the set critical success factors as follows:-

- Both forces mitigate/manage their greatest threat, harm and risks
- Both forces achieve their medium term financial strategies
- The strategic policing requirement continues to be met with reducing resources
- A transformational approach to service delivery
- Both forces adapt and respond to change in an agile/positive way
- Opportunities to invest in new capabilities to meet emerging threats and technology

1.2 Statement of Intent – Aim and Rationale

1.2.1 The aim of this policy is to provide procedural guidance to police officers, special constables, police staff, volunteers, temporary and agency staff and their managers on the receiving of hospitality gifts and gratuities.

1.2.2 The Professional Standards Department (PSD) has direct responsibility for the oversight and scrutiny of procedures governing the acceptability or otherwise of any gift, gratuity or hospitality.

1.2.3 This policy will support operational policing by providing an ethical framework for the acceptance of gifts and hospitality, which will be open and understood by our community.

1.2.4 All records generated as a result of this policy will be retained in accordance with Devon and Cornwall policy D032 – [Records Management](#).

1.3 National Decision Model

1.3.1 The National Decision Model (NDM) is the primary decision-making model used in both Dorset Police and Devon and Cornwall Police. Where applied it ensures that ethical (see Code of Ethics), proportionate and defensible decisions can be made in relation to operational and non-operational policing. The latest guidance can be found via this [APP link](#).

1.4 Code of Ethics

1.4.1 The Code of Ethics underpins every policy, procedure, decision and action in policing today and staff are reminded of the need to comply with the standards and principles of the [Code of Ethics for policing](#).

1.5 Authorised Professional Practice

1.5.1 The College of Policing (CoP) offers an online service that provides access to a consolidated body of guidance for policing called [Authorised Professional Practice](#) (APP). This enables officers and staff to access and search for the most up to date approved guidance, replacing a number of previously published NPIA and NPCC documents.

2 Standards

2.1 Legal Basis

2.1.1 Sections 1 and 2 of the Bribery Act 2010 make it a statutory offence for anyone to offer, give or promise a financial or other advantage when the intention of the giver is to induce the receiver to perform a relevant function or activity improperly.

2.1.2 Relevant activity, as defined by the act, includes carrying out a public function, i.e. policing. This is mirrored by the creation of the offence of receiving an inducement in the same circumstances.

2.1.3 Improper performance is defined as the performance of a function in breach of a relevant expectation that the reasonable person would expect of the police.

2.1.4 In basic terms, it will be a criminal offence for someone to offer, ask for or accept an 'inducement' that may be a reward for acting improperly.

2.1.5 The Act does not prohibit reasonable and proportionate hospitality and promotional or other similar business expenditure intended to improve the image of a commercial organisation, to present products and services, or to establish cordial relations. It is, however, clear that hospitality and promotional or other business expenditure can be employed as bribes. Consideration in this regard will include the degree of lavishness of a gratuity or hospitality, its relative value to the industry norm, and the extent to which the gratuity or hospitality is connected to the business in question.

2.1.5 Organisations will also be committing an offence if they fail to prevent bribery by someone associated to them.

2.1.6 'Standards of Professional Behaviour' for police officers, contained in the Schedule to the Police (Conduct) Regulations 2020 and related Home Office Guidance and 'Standards of Professional Behaviour' for police staff as agreed by the Police Staff Council should be referred to.

2.1.7 This policy should be read in conjunction with:-

- Police (Conduct) Regulations 2020
- Police Staff Discipline Policy and Procedures
- Standards of Professional Behaviour

2.1.8 In the HMICFRS Report 'Without Fear or Favour', it is recommended that the following 'GIFT' checklist should be considered to establish the appropriateness of accepting gifts

or hospitality. This guidance should be used by all officers/staff when deciding on whether a gift, hospitality or benefit should be accepted:

- **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 the offer?
- **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?
- **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 donors' expectations of me should I accept?
- **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 would the outcome for the force if this offer was accepted or declined?

2.2 Assessment Compliance

2.2.1 This document has been drafted and audited to comply with the principles of the Human Rights Act. Internal and external Equality and diversity issues have also been considered to ensure compliance with Equality legislation and policies. In addition Data Protection, Freedom of Information, Management of Police Information and Health and Safety issues have been considered. Adherence to this document will therefore ensure compliance with all relevant legislation and internal policies.

2.3 Monitoring

2.3.1 This working practice will be monitored by the Alliance Professional Standards Department.

2.4 Feedback

2.4.1 Feedback relating to this policy can be made in writing or by e-mail to

[Professional Standards Department](#)

3 Procedure Section

3.1 Standards of Professional Behaviour

3.1.1 Devon & Cornwall and Dorset Police Officers and Staff are subject to Standards of Professional Behaviour, which includes the expectation to be honest, act with integrity and not to compromise or abuse their position. Gifts or gratuities that could compromise impartiality should never be accepted. Police Staff and Officers should never solicit the offer of any gift, gratuity, favour or hospitality in a way connected to or arising from their role within the police service, whether on or off duty.

3.1.2 During the course of their duties within the community, police officers and staff may well occasionally be offered gifts or hospitality which do not in any circumstances amount to a breach of integrity on the part of either party. Examples of such include the provision of light refreshments as a common courtesy in line with policing duties, inexpensive

promotional products from partnerships or conferences, or discounts aimed at all members of the wider police community.

- 3.1.3 In the vast majority of scenarios, police officers and staff will be able to politely decline the offer of a gift, gratuity or hospitality. However, it is also recognised that there will be rare occasions when a refusal to accept such an offer may cause unnecessary offence or might hinder productive working partnerships. Equally, to accept such an offer may be misinterpreted and could lead to inaccurate expectations of favour or service. Where doubt exists, advice from PSD should be sought.
- 3.1.4 This policy does not apply to individuals acting in their capacity as part of any approved secondary employment or declared business interest.

3.2 Gifts

3.2.1 Gifts may be **accepted** if they are:

- Of a trivial or inexpensive nature (generally not exceeding £30 in value), for example, diaries, calendars, pens, stationary, key rings, or other small gifts offered during a courtesy visit or conference.
- Small commemorative items from visiting overseas law enforcement or governmental agencies or similar organisations.
- A bona fide, unsolicited and inexpensive gift of thanks from members of the public or victim of crime offered to individual members of teams of Dorset / Devon & Cornwall Police in genuine appreciation of outstanding levels of service and where the offer of such a gift or hospitality cannot be courteously refused in a manner that does not cause offence or embarrassment to the organisation or individual making the offer.

3.2.2 If presented with an unsolicited and inexpensive gift, which it would be discourteous to refuse, it should be accepted and a report submitted to the process at 3.6.5 (Devon and Cornwall Police) and 3.6.6 (Dorset Police) below, followed. Consideration should be given to cultural differences of offering and accepting gifts and advice taken from the intended recipients Chief Inspector/ Departmental Head where it appears likely that refusal could or would cause offence. The donor should be advised that permission to retain the gift will be sought and that they will be advised of the outcome. Disposal information regarding the gift will be entered on the Register.

3.2.3 If in doubt, approval should be sought from the relevant BCU Chief Inspector / head of department, who will refer it to the Head of PSD if appropriate.

3.2.4 All such gifts should nonetheless be subject of a declaration in the force register.

3.2.5 Gifts are usually **unacceptable** if they are:

- From outside contractors or companies tendering for work other than in circumstances approved by the Head of PSD unless of a trivial nature as described above
- Cash payments other than as a donation to a specific police charity
- Of an intrinsic value of more than £30 without express approval from the relevant BCU Chief Inspector / head of department

- Likely to compromise an officer's or staff member's impartiality, or may give the impression of doing so
- Likely to damage the image and reputation of Devon & Cornwall Police and / or Dorset Police

3.2.6 All such gifts should nonetheless be subject of a declaration in the alliance force register.

3.2.7 It would be inappropriate for a member of either force to solicit or accept any gift or benefit, as an inducement or reward for showing favour to any person in their official capacity.

3.2.8 A Gratuity is usually acceptable if it is:

- An offer or discount negotiated through the police Federation, Superintendents' Association, or other staff association or Trade Union.
- A discount to public services workers including members of the police service offered on the basis that the organisation in question has a large customer base and is of a trivial or inexpensive nature.
- Free travel arrangements for officers and staff on active duty if approved and formally negotiated through the force.

3.2.9 There is no requirement to declare any such gratuity in the force register.

3.2.10 Financial rewards resulting from the publication of articles related to an individual's role within the organisation are **unacceptable**. Payments offered can only be made to the Force and not the individual. Guidance should be sought from the Corporate Communications Team.

3.2.11 Gratuities that amount to individual gain from a points scheme when purchasing services, items or fuel are not acceptable.

3.3 Hospitality

3.3.1 Common sense should apply in respect of hospitality of insignificant value and on an occasional basis, such as refreshment provided by the public at the scene of an incident or in the course of neighbourhood policing which need not be recorded on the Register of Gifts and Hospitality.

3.3.2 Accepting regular free or discounted food whether on or off duty is usually **unacceptable** if the warrant or identity card is required to obtain the free or discounted food or it includes a degree of lavishness which is outside of the 'industry' norm.

3.3.3 Offers of conventional hospitality (e.g. working breakfast, lunch or dinner, refreshments provided during the course of attending meetings, seminars or conferences organised by outside bodies, the annual dinner of a representative association or local authority) which are limited to isolated occasions and can be shown to be in the interests of the alliance forces are generally **acceptable** and do not need to be declared on the force register.

3.3.4 Meals and refreshments provided in the course of a working day by other Government organisations, for example other Police Forces, the Home Office, the Prison Service; the Crown Prosecution Service, HM Customs and Excise, etc. are usually **acceptable** and do not need to be declared on the force register.

- 3.3.5 Invitations to sporting or social events (other than on official duties), offers of free travel and/or accommodation, invitations to conferences or other events in foreign locations will generally be **unacceptable** unless expressly approved by the Head of PSD.
- 3.3.6 Hospitality with a degree of lavishness outside of the industry norm will not be acceptable.
- 3.3.7 Where there is doubt regarding acceptance of hospitality it should be referred to relevant BCU Chief Inspector / head of department in the first instance.
- 3.3.8 The inappropriate acceptance of gifts, gratuities and hospitality may lead to disciplinary action or criminal liability.

3.4 Benefits

- 3.4.1 Members of the Police Service often gets offered 'benefits' or discounts by local and national businesses seeking a new and potentially reliable customer base. Devon and Cornwall / Dorset Police staff and officers are not permitted to access or use these benefits when targeted as a member of Devon and Cornwall / Dorset Police. It is important that the organisation distances itself from any real or perceived improper influence that these companies may have or negative inferences from the public who are not similarly entitled to such benefits.
- 3.4.2 The only benefits that will be accessible are those offered to members of unions or national staff associations which have been negotiated through that mechanism or have been agreed by the Chief Officers within Devon and Cornwall / Dorset Police, and free travel arrangements for officers and staff on active duty if approved and formally negotiated through the Force.
- 3.4.3 Unison benefits are detailed on their website: <http://www.unison.org.uk/benefits/index.asp>. Police Federation benefits are available on www.polfed.org.
- 3.4.4 The production of a warrant card (other than for identification purposes) will usually demonstrate that the officer is exercising their authority and has therefore put himself or herself on duty. A member of police staff using their identification card demonstrates a similar position. To obtain a benefit in this manner, whether offered to them or not, is not usually conducive to upholding the values of the organisation and will not be considered acceptable. A failure to comply with this instruction may result in misconduct/disciplinary proceedings.
- 3.4.5 Blue Light Card provides those in the NHS, Emergency Services and Armed Forces with discounts both online and in store. It will usually be far safer for employees to use this card as identification in claiming recognised and approved national and local benefits and discounts. Their website can be found here: https://www.bluelightcard.co.uk/about_blue_light_card.php
- 3.4.6 Benefits amounting to individual gain from a points or rewards scheme when purchasing items or fuel on behalf of the Force are not acceptable. If an individual is not paying personally for the item, they should not accept the points or rewards.

3.5 Considerations

3.5.1 The following considerations may assist officers and staff in deciding whether the hospitality or gift may be accepted:

- Why is the offer being made?
- What are the background circumstances?
- Does the donor feel obliged to make the offer?
- What is the donor likely to expect in return?
- How does the intended recipient feel about the propriety of the offer?
- Is the gift or hospitality a logical part of the business relationship?
- What could be the outcome for Devon & Cornwall / Dorset Police or the recipient if the offer is accepted or declined?
- Would the offer or acceptance be seen as reasonable in the eyes of the public?

3.6 Register of Gifts and Hospitality

3.6.1 Any accepted gift should be taken to a police station / premises as soon as practicable and in any event before the officer/ staff member goes off duty and an appropriate record made of its acceptance.

3.6.2 Any offer of a gift or hospitality that has been declined, in line with this policy, must also be declared by the relevant officer / staff member before they conclude their tour of duty. This will usually be achieved by informing a line manager and / or by referring the matter to the Counter Corruption Unit.

3.6.3 The Register will contain the following information and it is the responsibility of the member of Devon & Cornwall / Dorset Police providing or receiving the gift or hospitality to provide sufficient information by way of report or other documentation to allow entries in the Register to be completed in full.

3.6.4 A central record for recording gifts and gratuities offered, accepted or refused is maintained by The Professional Standards Department (Register of Gifts and Hospitality). There is a single register for Devon and Cornwall Police and Dorset Police. No other department or function will hold a standalone register. This register is regularly reviewed and reported on and is available for view by all members of Devon and Cornwall and Dorset Police via the Professional Standards Department SharePoint site.

3.6.5 Devon and Cornwall Police process:

Where a gift is accepted, officers and staff must inform their Inspector / Police Staff equivalent. After referring to this policy, the Inspector / Police Staff equivalent must decide on what happens to the item / offer.

Officers and staff receiving a gift or hospitality offer should then notify the CCU via email CounterCorruption@devonandcornwall.pnn.police.uk having obtained approval for acceptance and provide the following information:

- Date and time of offer/decline/ acceptance of gift/hospitality
- Rationale and circumstances as to why the gift/hospitality was accepted
- Name, rank or job title of Recipient(s)
- Donor (name and organisation)
- A description of the gift or hospitality including value. Where officers or staff are not able to accurately estimate the value then a full description, e.g. brand, size etc., should be given

- Whether the approval of their Inspector / Police Staff equivalent was sought and granted (if applicable).
- Where a gift or hospitality is accepted from or provided to any supplier or potential supplier then this should be clearly shown on the register and be brought to the attention of PSD
- Where a gift or hospitality is accepted from or provided to any supplier or potential supplier and the member of staff already has a business interest or have applied for a business interest, this should also be clearly shown on the notification to PSD and shown on the register
- In the interests of openness and transparency, any offer of a gift, gratuity or hospitality that is politely refused, should also be recorded within the Gifts and Hospitality register. Therefore, any member of the force should report the circumstances of the offer and refusal to CounterCorruption@devonandcornwall.pnn.police.uk

3.6.6 Dorset Police process:

Where a gift is accepted, officers and staff must inform their Inspector / Police Staff equivalent. After referring to this policy, the Inspector / Police Staff equivalent must decide on what happens to the item.

Officers and staff receiving a gift or hospitality offer should then notify the Professional Standards Department via email Giftsandhospitality@dorset.pnn.police.uk having obtained approval for acceptance and provide the following information:

- Date and time of offer/decline/ acceptance of gift/hospitality
- Rationale and circumstances as to why the gift/hospitality was accepted
- Name, rank or job title of Recipient(s)
- Donor (name and organisation)
- A description of the gift or hospitality including value. Where officers or staff are not able to accurately estimate the value then a full description, e.g. brand, size etc., should be given
- Whether the approval of an Inspector / Police Staff equivalent was sought and granted (if applicable).
- Where a gift or hospitality is accepted from or provided to any supplier or potential supplier then this should be clearly shown on the register and be brought to the attention of PSD
- Where a gift or hospitality is accepted from or provided to any supplier or potential supplier and the member of staff already has a business interest or have applied for a business interest, this should also be clearly shown on the notification to PSD and shown on the register
- In the interests of openness and transparency, any offer of a gift, gratuity or hospitality that is politely refused, should also be recorded within the Gifts and Hospitality register. Therefore, any member of the force should report the circumstances of the offer and refusal to Giftsandhospitality@dorset.pnn.police.uk

3.6.7 This will also allow the appropriate checks with Procurement, the Counter Corruption Unit, Vetting (Business Interests) or other relevant departments (for example People Services) to ensure the Force is not compromised by the acceptance of the gift in any way.

- 3.6.8 Officers and police staff should not accept any gift from any person / business they know, believe or suspect to be a contractor, supplier of goods and services for Devon & Cornwall / Dorset Police, without express permission from the relevant BCU Inspector / Police Staff equivalent.
- 3.6.9 Should it become apparent at any time that such a person has offered or provided gifts to Devon & Cornwall / Dorset Police staff then this should be reported to the relevant BCU Chief Inspector / head of department.
- 3.6.10 Any gifts and hospitalities that are purchased using force funds are not permissible, without the expressed permission of relevant BCU Chief Inspector / head of department and the Head of Finance.

4.0 Consultation and Authorisation

4.1 Consultation

Version No: 1.0	Name	Signature	Date
Police & Crime Commissioner			
Police Federation			
Superintendents Association			
GMB / UNISON / Unite			
Other Relevant Partners (if applicable)			

4.2 Authorisation of this Version

Version No: 1.0	Name	Signature	Date
Prepared:	Peter Burren		
Authorised:	Pete Windle		
Approved:	Simon Huxter		

5.0 Version Control

5.1 Review

Date of next scheduled review	Date:
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5.2 Version History

Version	Date	Reason for Change	Created / Amended by
1.0		Initial Document	P Burren

5.3 Document History

Present Portfolio Holder	Deputy Chief Constable
Present Document Owner	Alliance Professional Standards Department
Present Owning Department	Alliance Professional Standards Department
Date Approved:	
Chief Officer Approving:	