

 Warwickshire POLICE  West Mercia POLICE		POLICY
Security Classification	NOT PROTECTIVELY MARKED	
Disclosable under Freedom of Information Act 2000	Yes	

POLICY TITLE	Gifts, Gratuities and Hospitality
POLICY REFERENCE NUMBER	A028
VERSION	1.1

POLICY OWNERSHIP	
DIRECTORATE	CHIEF OFFICERS
BUSINESS AREA	PROFESSIONAL STANDARDS

IMPLEMENTATION DATE	February 2014
NEXT REVIEW DATE:	January 2020
RISK RATING	MEDIUM
EQUALITY ANALYSIS	LOW

Warwickshire Police and West Mercia Police welcome comments and suggestions from the public and staff about the contents and implementation of this policy. Please e-mail contactus@westmercia.pnn.police.uk

1.0 POLICY OUTLINE

1.1 This policy provides guidance to officers and staff from both Warwickshire Police and West Mercia Police, including members of all Staff Associations, in respect of both Police and Association business, as to the acceptance of gifts, gratuities and hospitality.

2.0 PURPOSE OF POLICY

2.1 The purpose of this policy is to provide guidance to all Warwickshire Police and West Mercia Police employees (Police Officers, Police Staff, Police Community Support Officers, Special Constables and Volunteers) on the acceptance of gifts and hospitality.

2.2 This guidance is necessary to ensure that:

- The actions of members of Warwickshire Police and West Mercia Police will not give rise to, or foster suspicion that outside individuals or organisations have gained favour or advantage, by any member of Warwickshire Police or West Mercia Police accepting gifts or hospitality from any such person or organisation, and
- No member of Warwickshire Police and West Mercia Police will accept any gift or hospitality which could cause their judgement or integrity to be compromised, either in fact or by reasonable implication, and thereby damage the reputation of Warwickshire Police or West Mercia Police.
- Any gift or hospitality, whether accepted or declined, will be recorded in the Gift and Hospitality Registry and will be subject of audits.

2.3 This policy has been drafted in accordance with NPCC Guidance on this subject, which is available for viewing via the links within this document. This guidance should be used by all officers and staff in their decision making when offered gifts, gratuities or hospitality. [NPCC Guidance](#)

2.4 The NPCC Guidance highlights that forces may wish to provide further guidance on instances where an exemption from any requirement to record may be in order, or to the extent to which discretion may be exercised. It is the position of Warwickshire Police and West Mercia Police that an exemption from recording any gift or hospitality will exist where there is an impromptu and unforeseen provision of light refreshments in line with policing duties, working lunches of a modest standard during police-related business meetings, without alcoholic drinks, inexpensive promotional products from partnerships or conferences to a maximum total value of £20.00, or discounts aimed at all members of the wider police service.

2.5 All offers of gifts, gratuities or hospitality, accepted or declined, which do not fall within the categories as stated in 2.4 above will be recorded using the electronic register which can be found under "Sessions" from the main menu. Acceptance of gifts, gratuities or hospitality must be approved by an officer of the rank of Chief Inspector or above, or Police staff equivalent, and then at least one rank above the applicant. For the purposes of Staff Associations, Superintendent Workforce Development or Head of

People Services will have responsibility for approval. Relevant items should not be used, consumed or treated as their own until approval/direction has been secured.

- 2.6 Should there be any doubt as to whether a gift, gratuity or hospitality should be recorded, advice should be sought in the first instance from an officer of the rank of Chief Inspector or above, or Police staff equivalent, and then at least one rank above the applicant.

3.0 IMPLICATIONS of the POLICY

- 3.1 This policy is suitable for public disclosure.

- 3.2 The provisions of this policy are consistent with the Bribery Act 2010 and the Police Officer's Standards of Professional Behaviour, particularly that relating to Honest and Integrity, under Regulation 3 of the Police (Conduct) Regulations 2012. This standard specifically states that Police officers should never accept any gift or gratuity that could compromise their impartiality. Further, Police officers never use their position or warrant card to gain an unauthorised advantage (financial or otherwise) that could give rise to the impression that the police officer is abusing their position.

- 3.3 As with all legislation, Police Regulations must be read and given effect as far as possible in a way which is compatible with the European Convention on Human Rights. In particular, Article 8 of the Convention states that there shall be no interference with a person's private life unless:-

it is in accordance with the law, and

- a) is necessary in a democratic society:-

- i. in the interests of national security.
- ii. in the interests of public safety.
- iii. in the interests of economic well being of the country.
- iv. for the prevention of disorder or crime.
- v. for the protection of health and morals.
- vi. for the protection of the rights and freedoms of others.

This means that the restriction must be justifiable on one or more of the grounds specified above, and a proportionate means of meeting that need.

Subject to proportionality it can be said on one or more of the grounds referred to above that restrictions on the receipt of gifts, gratuities and hospitality are necessary to ensure that the police force remains effective, protects its reputation, maintains high standards of conduct and probity from its officers, and avoids any conflict of interest within their duty as a police officer or member of police staff.

- 3.4 There are no direct financial implications to the Alliance resulting from this policy.
- 3.5 The procedure set out has been designed to ensure a corporate approach is adopted and to minimise the amount of additional bureaucracy by providing an electronic application by which gifts, hospitality and gratuities can be recorded.

- 3.6 There are no staffing or training implications in relation to this policy. Staff in both forces do need to be aware of the electronic recording process however, and how to access the system.

4.0 CONSULTATION

Key stakeholders below have been consulted with;

- i) Human Resources
- ii) Chief Officers
- ii) Legal Services
- iii) Police Federation/Superintendent's Association/UNISON
- iv) Professional Standards Department

5.0 DOCUMENT HISTORY

The history and rationale for change to policy will be recorded using the below chart:

Date	Author / Reviewer	Amendment(s) & Rationale	Approval / Adoption
05/12/13	Supt S J Eccleston	Harmonisation	JNCC 27/11/2013
07/12/15	Supt Gary Watson	Review of Policy No Changes	
08/01/2018	Supt Helena Bennett	Review of Policy – v1.1 minor wording change ACPO to NPCC and wording added to end of para 2.5.	08/01/2018

6.0 RISK ASSESSMENTS / HEALTH & SAFETY CONSIDERATIONS.

- 6.1 Warwickshire Police and West Mercia Police have a responsibility under Health and Safety legislation to safeguard the wellbeing of their staff. There is however no identified Health and Safety risk associated with this policy. The risks emanating from the acceptance of Gifts, Gratuities and Hospitality are to both the individual's integrity and the organisation's reputation. Both of these risks will be mitigated by that adoption of this policy and the associated national guidance document. The identified risks will also be mitigated by regular audit of the Register by Professional Standards Department.

7.0 EQUALITY ANALYSIS

Please see separate document.