

Policy



Gifts and Gratuities

URN: J-P-002

Version: 1.2
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Host Force: Dorset Police (DP)
Host Policy Unit: Dorset Police Legitimacy Team
Policy Owner: Head of Alliance Professional Standards
Policy Author: Head of Alliance Professional Standards

Associated Procedure: J-Pr-002 – Gifts and Gratuities Procedure

1. Policy Summary

This policy aims to provide guidance on the receiving of hospitality, gifts and gratuities. 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 communities.

This policy and its associated procedure document applies to police officers, special constables, police staff, volunteers, temporary and agency staff and their managers.

Note: This policy is an Alliance policy applicable to both Dorset and Devon and Cornwall Police Forces. This policy supersedes Dorset's P07:2000, Devon and Cornwall's D263 and the alliance document SA024.

2. Purpose, Standards and Legal Basis

Both Forces are obliged to abide by all relevant legislation and other guidance as appropriate:

- Authorised Professional Practice (APP)
- Code of Ethics
- Equality Act (2010)
- Freedom of Information Act 2000 (FOIA)
- Home Office Statutory Guidance on Professional Standards, Performance and Integrity in Policing
- Human Rights Act (1998)
- Independent Office for Police Conduct (IOPC)
- National Decision Model
- Public Sector Equality Duty
- Standards of Professional Behaviour
- The Data Protection Act (2018) and UK General Data Protection Regulation (GDPR)
- The Health and Safety at Work etc. Act (1974)
- Visions, Purpose & Priorities
- www.gov.uk

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.

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.

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.

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.

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 gift or hospitality, its relative value to the industry norm, and the extent to which the gift or hospitality is connected to the business in question.

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

'Standards of Professional Behaviour' for police officers, contained in the Schedule to the Police (Conduct) Regulations 2020 as amended by The Police (Conduct) (Amendment) Regulations 2024 and related Home Office Guidance and 'Standards of Professional Behaviour' for police staff as agreed by the Police Staff Council should be referred to.

This policy should be read in conjunction with:-

- Police (Conduct) Regulations 2020 as amended by The Police (Conduct) (Amendment) Regulations 2024
- Police Staff Discipline Policy and Procedures
- Standards of Professional Behaviour

All records generated as a result of this policy will be retained in accordance with the Joint Records Management Policy (J-P-011).

Comprehensive definitions and details pertaining to Gifts, Hospitality and Benefits are provided within the associated procedure. (J-Pr-010)

3. Roles and Responsibilities

The Alliance 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.

BCU / LPA Chief Inspector/Head of Department – approval should be sought prior to acceptance of any Gift, Hospitality or Benefit.

Corporate Communications Team – contact should be made for guidance on payments offered from publication of articles.

Counter Corruption Unit – notification of receiving a gift or hospitality should be sent here.

Relevant Inspectors/Police Staff equivalents – must be informed following the acceptance of a gift or offer of a gift, by those receiving them. Any subsequent decisions around appropriateness will then be made, in conjunction with PSD. A combination of departments (Procurement, CCU, Vetting, and other relevant business departments) are charged with ensuring that Devon & Cornwall and Dorset Police are not compromised by the acceptance of hospitality, gifts and gratuities.

4. Policy Information

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.

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 be the outcome for the force if this offer was accepted or declined?

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.

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.

Where hospitality, gifts or gratuities are offered and accepted as part of any approved secondary employment or declared business interest, the member of the police service is to be mindful of attempts to influence them as part of their primary role within the policing service. Where suspicious behaviour occurs, this is to be reported.

5. Monitoring and Review

Review and amendments will be coordinated by the Policy Unit.

The policy owner has overall responsibility for ensuring the content of the policy is appropriate and up to date.

This policy will be reviewed annually subject to legislation/process changes.

This policy and its associated procedure will be monitored by the Alliance Professional Standards Department.

Feedback relating to this policy can be made in writing or by email.

6. Associated Documents

Policy and Procedure

- J-Pr-010 – Gifts and Gratuities Procedure
- J-P-011 – Joint Records Management Policy

SharePoint

- Code of Ethics (DCP)
- Code of Ethics (DP)
- Records Management (DCP)
- Records Management (DP)
- UK General Data Protection Regulation / Data Protection Act (2018)
- Vision, Purpose & Priorities (DP)
- Vision, Purpose & Priorities (DP)

College of Policing

- Authorised Professional Practice (APP)
- National Decision Model

Other

- Equality Act (2010) (as amended)
- Freedom of Information Act 2000 (FOIA)
- Home Office Statutory Guidance on Professional Standards, Performance and Integrity in Policing
- Human Rights Legislation
- Independent Office for Police Conduct (IOPC)
- Police Conduct Regulations (2020)
- Standards of Professional Behaviour (DCP)
- Standards of Professional Behaviour (DP)
- The HMIC Integrity Inspection
- The Strategic Assessments on Corruption
- www.gov.uk

7. Document History

Present Portfolio Holder: Deputy Chief Constable
Present Document Owner: Head of Alliance Professional Standards
Present Owning Department: Alliance Professional Standards

8. Version History

Version: 1.0
Date: 18/11/2020
Reason for Amendments: Initial document. Content transferred to new template.
Document renumbered. Replaces SA024, P07:2000 and D263.
Amended by: Head of Professional Standards & Legitimacy Team (7101)
Quality Assured: Legitimacy Team (7101)

Version: 1.1
Date: 19/10/2023
Reason for Amendments: Annual review completed - no changes made.
Amended by: Vetting & Counter Corruption Unit (CCU) Teams.
Quality Assured: Legitimacy Team (7101)

Version: 1.2
Date: 01/11/2024
Reason for Amendments: Annual review completed whereby minor wording changes made to ensure clarity. Links also updated throughout policy.
Amended by: Head of Professional Standards
Quality Assured: Legitimacy Team (7101)

We welcome any comments or suggestions you wish to share about the content or implementation of this procedure. If you would like to make contact to discuss further, please email Policies@dorset.PNN.police.uk or Forcepolicyandprocedures@devonandcornwall.pnn.police.uk