



Gifts and Hospitality Policy

The Office of the Police and Crime Commissioner (OPCC) is committed to the principles of equality and diversity. No member of the public, member of staff, volunteer or job applicant shall be discriminated against on the grounds of age; disability; gender reassignment; marriage and civil partnership; pregnancy and maternity; race; religion or belief; sex; or sexual orientation.

Introduction

1. This policy applies to the Police and Crime Commissioner, the Deputy Police and Crime Commissioner (if a Deputy PCC is appointed), members of the Strategic Policing and crime Board and staff employed by the Police and Crime Commissioner. It will be noted that the Police and Crime Commissioner and the Deputy Police and Crime Commissioner have specific obligations under the code of conduct in relation to disclosure of gifts and hospitality.
2. In the course of normal working relationships between the Police and Crime Commissioner and other organisations, offers may be received of gifts and hospitality. A decision to accept such gifts and hospitality needs to be considered carefully in each case and in accordance with the guidelines set out in this policy.
3. The acceptance of gifts and hospitality may be acceptable and lawful depending on the circumstances. However, acceptance may in some circumstances not be lawful and may constitute an offence under the Bribery Act 2010 or may reflect adversely on the reputation of the Police and Crime Commissioner. The Police and Crime Commissioner does not tolerate bribery and any concerns must be reported to the Chief Executive.
4. Inappropriate or unlawful acceptance of gifts and hospitality or failure to register them as interests could constitute a breach of code of conduct and in the case of staff of the Police and Crime Commissioner a disciplinary matter which, depending on the seriousness of the matter could lead to dismissal.
5. There is an expectation that public and business functions will be carried out in good faith, impartially, or in accordance with a position of trust. Bribery in both the public and private and public sectors are covered by the Act.

The Act also creates a corporate offence of failing to prevent bribery undertaken on behalf of commercial organisations, which include public authorities.

6. The acceptance of small gifts and reasonable hospitality made and accepted in good faith for a proper purpose will not constitute an offence. Acceptance should however only be undertaken following the advice set out in this policy.

Guidelines

7. In all cases the Police and Crime Commissioner, the Deputy Police and Crime Commissioner and staff of the Police and Crime Commissioner must personally consider in all the circumstances, using their professional judgement in the interests of the Police and Crime Commissioner, whether it is appropriate to accept a gift or hospitality. The following guidelines must be considered:-

- Never accept a gift or hospitality as an inducement or reward for anything you do as a Police and Crime Commissioner, Deputy Police and Crime Commissioner or an employee
- Only accept a gift or hospitality if there is a benefit to the Police and Crime Commissioner
- Never accept a gift or hospitality if acceptance might be open to misinterpretation
- Never accept a gift or hospitality which places you under an improper obligation
- Never solicit a gift or hospitality
- Ask yourself “Have I been given this because I am a Police and Crime Commissioner, Deputy Police and Crime Commissioner or an employee of the Office of the Police and Crime Commissioner?” If the answer is yes, consider whether what is offered is acceptable and whether it needs to be registered

What is Acceptable?

8. The following examples should be regarded as a guide as to gifts and hospitality which may be accepted on a reasonable and proportionate basis:-
 - Modest refreshments provided at any meeting which you attend as part of your official duty as Police and Crime Commissioner, Deputy Police and Crime Commissioner or as a member of staff of the Office of Police and Crime Commissioner
 - Promotional goods or souvenirs such as pens, pencils and diaries not exceeding £25 in value

- Hospitality received as part of an official visit to which the Police and Crime Commissioner or Deputy Police and Crime Commissioner or the Police and Crime Commissioner's staff are invited and the arrangements for which are made by staff of the Office of Police and Crime Commissioner. This includes arrangements made in accordance with the policy of the Police and Crime Commissioner for overseas visits and attendance at conferences

What is not Acceptable?

9. The following are not intended to be a complete list but examples where it would be inappropriate and not in the interests of the Authority to accept gifts or hospitality:-
 - Gifts or hospitality involving offers of holidays or cash
 - Gifts of work for the personal benefit of Police and Crime Commissioner, Deputy Police and Crime Commissioner or staff of the Police and Crime Commissioner by persons undertaking any contract for the Police and Crime Commissioner
 - Repeated acceptance of gifts and hospitality from the same person or organisation even where the value on each occasion is less than £25

Action Required

10. In the case of the Police and Crime Commissioner or Deputy Police and Crime Commissioner, any gift or hospitality received or rejected must be registered in the Police and Crime Commissioner's register of interests. You must within 28 days of receiving or rejecting a gift or hospitality declare the name of the person from whom the gift or hospitality was received and the date it was received or rejected. A form is provided for this purpose which may be obtained from the Chief Executive. Alternatively you may notify the Chief Executive in writing or by email of your declaration.
11. The interest of the person from whom you have received a gift or hospitality which is shown in the register of interests as being registered not more than three years earlier must where required by the Code of Conduct be declared as a personal interest.
12. In the case of any member of staff of the Police and Crime Commissioner any gift or hospitality received to a value exceeding £25 must be declared in the register kept by the Chief Executive of the Office of the Police and Crime Commissioner.
13. In the case of any proposed gift or hospitality to a member of staff of the Police and Crime Commissioner which is likely to exceed £75 in value, such gift or hospitality shall not be accepted without the prior written consent of the Chief Executive. In the case of the Chief Executive, any consent shall be given by the Police and Crime Commissioner

Further Advice and Reporting

14. If you wish to seek advice as to the acceptance of any gift or hospitality of whatever value you should contact the Chief Executive. It is however your own decision whether or not in all the circumstances a gift or hospitality should be accepted and if necessary you will need to justify any decision taken.
15. Any person who has any concern that this policy is not being observed or is being breached should report those concerns to the Chief Executive. Concerns may also be reported through the Police and Crime Commissioner's Confidential Reporting Policy.