

OFFICE OF POLICE AND CRIME COMMISSIONER

OFFICE OF THE CHIEF CONSTABLE

TITLE: OPCC Gifts and Hospitality and Business/Disclosable Interests Report 2015/16

DATE: 30th June 2016

TIMING: Annual

PURPOSE: For Consideration

1.	<u>RECOMMENDATION</u> That Members of the Joint Audit Committee review compliance with policies relating to business interests and gifts and hospitality as set out in their Terms of Reference.
2.	<u>INTRODUCTION & BACKGROUND</u> When Police and Crime Commissioners were appointed to Office in November 2012, a discretionary national Code of Conduct was provided that could be adopted if individuals so wished. The former Police and Crime Commissioner for Gwent (Commissioner) and the Deputy Police and Crime Commissioner for Gwent (Deputy Commissioner) both adopted the Code of Conduct upon their respective appointments. By adopting the Code of Conduct the Commissioner and Deputy Commissioner were required to abide by the 'Nolan Principles' (Seven Principles of Public Life) which are: <ul style="list-style-type: none">• Selflessness;• Integrity;• Objectivity;• Accountability;• Openness;• Honesty; and• Leadership The Code of Conduct required the Commissioner and Deputy Commissioner to register any disclosable interests within 28 days of appointment. They must also notify the Monitoring Officer of any changes to those interests within 28 days of the changes coming into effect. In November 2012 the Office of the Police and Crime Commissioner (OPCC) also adopted a Staff Code of Conduct that now forms part of the terms and conditions of employment of all staff working under the direction and control of the Chief of Staff. This places a requirement on all members of staff to declare any disclosable and/or business interests and also any hospitality and benefits of gifts received as a consequence of his or her employment A register of business interests and gifts and hospitality is required to be kept up to date. The business/disclosable interests of the Commissioner and Deputy Commissioner and the gifts and hospitality register for all OPCC staff are published on

	<p>the OPCC website as per the Elected Local Policing Bodies (Specified Information) Order 2011 section 1(e) and 2(e) respectively. The Freedom of Information Act 2000 Elected Local Policing Bodies Model Publication Scheme also provides a requirement for this information to be made publically available.</p>
<p>3.</p>	<p><u>ISSUES FOR CONSIDERATION</u></p> <p>Business Interests</p> <p>The Business Interests Policy and Procedure aims to ensure that all staff are treated equally and fairly and that from an organisational perspective, security, ethics and responsibilities are taken into account when determining whether or not to allow the business interest. The Business Interests Policy and Procedure was reviewed by the Chief of Staff in 2015.</p> <p>It is the Chief of Staff's role to approve or decline an application for a business interest and various factors must be taken into consideration to ensure that the interest does not conflict with an individual's role within the OPCC.</p> <p>The business interests of the Commissioner, Deputy and OPCC staff are reviewed annually to ensure there are no changes to be made. The former Commissioner's and Deputy Commissioner's Business Interests were last reviewed in March 2015. Due to the Police and Crime Commissioner elections taking place in May 2016, the review for 2016 was suspended pending the appointment of the new office-holder. Appendices 1.1 and 1.2 provide the notifications of disclosable interests made by the former Commissioner and Deputy Commissioner during 2015/16 and are available on the OPCC website.</p> <p>The Business Interests of OPCC staff were reviewed during May 2016. These are not published but an anonymous overview has been provided at appendix 1.3.</p> <p>Gifts and Hospitality</p> <p>The Gifts and Hospitality Policy and Procedure was reviewed and adopted by the former Commissioner on 5th January 2015.</p> <p>The aim of the policy/procedure is to increase public confidence by ensuring that the Commissioner, Deputy Commissioner and staff employed by the OPCC do not accept gifts and hospitality, otherwise than in accordance with the policy.</p> <p>A single Gifts and Hospitality register is maintained by the Information Officer of the OPCC. Where possible, the Chief of Staff must approve any gifts, gratuities or hospitality prior to acceptance. Should there be any doubt as to whether a gift, gratuity or hospitality should be recorded then advice should be sought from the Chief of Staff.</p> <p>Appendix 2 provides details of the Gifts and Hospitality received by the Commissioner, Deputy Commissioner and staff of the OPCC during 2015/16. The Gifts and Hospitality register is publically available on the OPCC website.</p>
<p>4.</p>	<p><u>NEXT STEPS</u></p> <p>Following taking office on 12th May 2016, the current Police and Crime Commissioner adopted the Code of Conduct and signed an Ethical Checklist that provides information about the ethical approach the Commissioner will adopt to promote,</p>

	<p>support and sustain high standards whilst in office. In addition, the OPCC published the Commissioner's Notification of Disclosable Interests, as required by statute (Appendix 3).</p> <p>Both registers will continue to be maintained as normal business practice. Both policies and procedures were reviewed earlier in 2016.</p>
5.	<p><u>FINANCIAL CONSIDERATIONS</u></p> <p>Staff with business interests are required to declare earnings to Her Majesty's Revenue and Customs (HMRC) as appropriate.</p>
6.	<p><u>PERSONNEL CONSIDERATIONS</u></p> <p>Staff are required to inform the Chief of Staff regarding any changes to their business interests which affect their welfare or ability to perform their role with the OPCC.</p>
7.	<p><u>LEGAL IMPLICATIONS</u></p> <p>There is a legal obligation placed on the Commissioner and OPCC to publish this information under the Elected Local Policing Body (Specified Information) Order 2011 and the Freedom of Information Act 2000 Elected Policing Bodies Model Publication Scheme.</p>
8.	<p><u>EQUALITIES AND HUMAN RIGHTS CONSIDERATIONS</u></p> <p>This report has been considered against the general duty to promote equality, as stipulated under the Strategic Equality Plan and has been assessed not to discriminate against any particular group.</p> <p>These processes ensure that the Commissioner, Deputy Commissioner and staff of the OPCC act in a fair and transparent way regarding gifts and hospitality and business interests, and that their actions in these matters do not negatively impact upon any individual or group.</p> <p>Consideration has been given to requirements of the Articles contained in the European Convention on Human Rights and the Human Rights Act 1998 in preparing this report.</p>
9.	<p><u>RISK</u></p> <p>There is a risk when accepting gifts and hospitality and also through some areas of business interests that a person may become open to bribery. The policies and procedures the OPCC have introduced are provided to ensure all staff have clear rules and guidelines to follow so as not to expose themselves to these situations.</p>
10.	<p><u>PUBLIC INTEREST</u></p> <p>The report may be made available to the public.</p>
11.	<p><u>CONTACT OFFICER</u></p> <p>Siân Curley, Chief of Staff.</p>
12.	<p><u>ANNEXES</u></p> <p>Appendix 1.1 – Commissioner Notification of Disclosable Interests 2015/16</p>

	<p>Appendix 1.2 – Deputy Commissioner Notification of Disclosable Interests 2015/16</p> <p>Appendix 1.3 – OPCC Staff Business Interests Register</p> <p>Appendix 2 – Gifts and Hospitality Register 2015/16</p> <p>Appendix 3 – Current Police and Crime Commissioner Notification of Disclosable Interests (May 2016)</p>
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