



## **ACCEPTANCE AND OFFERS OF GIFTS AND HOSPITALITY POLICY**

### **Authorised Professional Practice (APP)**

APP is developed and owned by the College of Policing (the professional body for policing) and can be accessed online. It is authorised by the College of Policing as the official and most up-to-date source of policing practice. The range of subjects covered by APP is growing all the time.

It has the same legal status as previous guidance; it is not the law and so, while Police Officers and Staff are expected to have regard to APP in discharging their responsibilities, the status of APP is advisory. There may be circumstances when it is legitimate to deviate from APP, providing there is a clear rationale for doing so.

- This Procedure has been checked against APP. Gwent Police has adopted the APP provisions, with supplementary information contained herein, which reflects local practice and the needs of the communities served by Gwent Police.

Those provisions are shown in the links below:

<http://www.app.college.police.uk/app-content/professional-standards/governance>

**PRINTED VERSIONS OF POLICIES SHOULD NOT BE RELIED UPON. THE MOST UP TO DATE VERSION CAN BE FOUND ON THE INTRANET POLICIES SITE, TOGETHER WITH PROCEDURES/EIAs.**

## **1.0 Aims**

- 1.1 In April 2012, the Association of Chief Police Officers (ACPO) published Guidance on Gifts, Gratuities and Hospitality, which provided Police Officers and Staff with an ethical framework in which to determine the boundaries of acceptability around gifts and hospitality.
- 1.2 This Policy (and it's accompanying Procedure) has been developed in accordance with that guidance to ensure Police Officers and Staff understand how the acceptance of gifts or hospitality can undermine personal and professional integrity; and to reinforce the importance of preventing allegations of corrupt practices or improper relationships with any member of the public or corporate body arising from the offer or acceptance of any gift, gratuity or hospitality.
- 1.3 Police Officers (all references to Police Officers include Special Constables) and Police Staff, who are properly meeting members of the community in the normal course of their work as members of Gwent Police, may be offered 'gifts', a term which includes goods or payment and hospitality. The Chief Constable must be notified of all offers of gifts, gratuities and hospitality and authorisation must be given for acceptance.
- 1.4 To refuse such offers may cause offence or hinder working relationships. However, to accept could equally be misinterpreted. It may lead to inaccurate expectations of favour, or even constitute a criminal offence in some circumstances. There will also be occasions where specific advice is needed in the purchase of goods and service and the expenditure of public money.
- 1.5 Gwent Police expects the highest standards of integrity and personal conduct on the part of all Officers and Staff. Officers and Staff must not abuse their position within the Force, for personal advantage. They must also have in mind, at all times, the need to avoid any suspicion that in their capacity as members of the Force they may be influenced by any gift, or other consideration, to show favour or disfavour to any individual or organisation.
- 1.6 Police Officers in particular are subject to the Code of Ethics, chief amongst which is that which relates to honesty and integrity. This code specifically states that Police Officers must be honest, act with integrity, and that they do not compromise or abuse their position. It further clarifies that Police Officers should never solicit the offer of any gift, gratuity, favour or hospitality in any way connected to or arising from their role within the police service, whether on or off duty.
- 1.7 Police Staff are also governed by a disciplinary procedure and the above conduct may amount to bringing discredit to Gwent Police which amounts to gross misconduct.

## **2.0 The Legal Basis and Legitimate Aims**

- 2.1 This Policy seeks to ensure transparency and conformity in accordance with the Bribery Act 2010 (hereinafter referred to as 'the Act') and any other relevant legislation. Sections 1 and 2 of the Act 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.
- 2.2 The Act makes it a criminal offence for someone to offer, ask for or accept an 'inducement' that may be a reward for acting improperly.
- 2.3 The organisation will also be committing an offence if they fail to prevent bribery by someone associated to them.
- 2.4 Gwent Police will take firm action where breaches of the Act are concerned. This could include disciplinary procedures leading to dismissal, termination of contract and criminal prosecution.
- 2.5 It is also important to note that failure to register in line with the directed requirements could constitute a breach of the Code of Ethics and lead to possible disciplinary proceedings. In the most serious cases criminal proceedings could be considered.

## **3.0 Human Rights Certification of Compliance**

- 3.1 This Policy has been checked for compliance with the Human Rights Act; with particular reference to the legal basis of its precepts, the legitimacy of its aims, the justification and proportionality of the actions intended by it, that it is the least intrusive and damaging option necessary to achieve the aims and that it defines the need to document the relevant decision making processes and outcomes of actions.

## **4.0 Compliance with The Welsh Language Scheme**

- 4.1 This Policy aims to comply with the organisation's Welsh Language Scheme in terms of dealing with the Welsh speaking public, impact upon the public image of the organisation and the implementation of the Language Scheme.

## **5.0 Risk Assessment / Health & Safety Considerations**

- 5.1 The Gwent Police Service Dynamic Risk Assessment should be applied as necessary. A training package in the use of risk assessment will be provided to all police personnel if requested or required.

## **6.0 Identification Section**

<b>Policy Title:</b>	<b>Acceptance and Offers of Gifts and Hospitality</b>
<b>Reference:</b>	<b>101-5 a issue 7</b>
<b>Chief Officer Lead:</b>	<b>Deputy Chief Constable</b>
<b>Service Area Owner:</b>	<b>Detective Superintendent, Professional Standards</b>
<b>Department Responsible:</b>	<b>Professional Standards</b>
<b>Links to other Policies/ Procedures:</b>	<ul style="list-style-type: none"><li>• <b>Acceptance and Offers of Gifts and Hospitality Procedure</b></li><li>• <b>Code of Ethics</b></li><li>• <b>Data Protection</b></li><li>• <b>Disciplinary Procedure for Police Staff</b></li><li>• <b>Equal Opportunities</b></li><li>• <b>Fairness at Work</b></li><li>• <b>Freedom of Information</b></li><li>• <b>Information Security</b></li><li>• <b>Licence to Lead</b></li><li>• <b>National Decision Model</b></li><li>• <b>Professional Standards Reporting Concerns (Whistleblowing)</b></li><li>• <b>Suspension of Police Officers and Police Staff</b></li></ul>
<b>Implementation Date:</b>	<b>09 November 2016</b>
<b>Review Date:</b>	<b>01 October 2018</b>