

OFFICE OF POLICE AND CRIME COMMISSIONER
OFFICE OF CHIEF CONSTABLE

TITLE: Business Interests and Secondary Employment

DATE: 7th June 2018

TIMING: Routine

PURPOSE: For Consideration

1.	<u>RECOMMENDATION</u>
1.1	The recommendation is to consider the details in the report.
2.	<u>INTRODUCTION & BACKGROUND.</u>
2.1	The Police Regulations 2003 as amended by the Police (Amendment) (no.3) regulations 2012 require serving police officers to notify their chief officer, in writing, of business interests and/or additional occupations they have or propose to have, unless that business interest has been previously disclosed. This includes voluntary work. This procedure also applies to police staff and police support volunteers. Special Constables are dealt with under separate Regulation.
2.2	The current process requires personnel to make a written request for approval via their supervisor who must comment on the suitability of the business interest aligned to their role, the likely impact of extra hours worked or conflict of interest and their performance and attendance. Provided there is no objection, intelligence checks are then carried out by the Professional Standards Department and an approval decision made by the head of that department. Approval can be granted with, or without conditions. Following representation by the Police Federation, UNISON and the Head of People Services in Gwent in late 2013, the approval for voluntary occupations has been delegated to the head of the employee's department with the proviso that working hours and the altruism of the occupation are given due weight in any decision. There is an appeal process for the applicant should approval be denied or if there are objections to the conditions. Once approved, the onus is on the applicant to notify Professional Standards Department of any change to their Business Interest.
3.	<u>ISSUES FOR CONSIDERATION</u>
3.1	Annex 1 provides a table of the Business Interest applications approved for the relevant period by description and rank/employee. The full register has not been included for the purposes of this report but it is scrutinised by the Commissioner, the Chief Constable and the HMIC. There are currently 477 live business interest and secondary occupation records and this includes those of any chief officers. Property rental and lease continues to be the most common category of business interest. Between April 2017 and March 2018, 69 new applications were received. This is in line with the previous year where 62 applications were received. Applications are processed efficiently with scrutiny by the Head of Department and consultation with People Services and line managers. In the past year only one application has been

	<p>declined. This was on the grounds that there was a conflict of interest with being a police officer. Although a number of applications are granted with conditions, predominantly those which apply to property rental so that there is no activity by the officer or member of staff during working hours. The other main category of interest which attracts conditions is that of product distribution with limitations on undertaking business in duty time and on police premises and wearing any promotional clothing.</p> <p>In accordance with Force Procedures, where an officer or member of police staff is suspended under investigation for misconduct, any business interest they hold is also reviewed and suspended where appropriate.</p> <p>In last year's report the issue of applicants with existing business interests was highlighted. As a result arrangements were made for the head/deputy head of PSD to attend awareness sessions to provide the relevant information and answer questions. This is still in place. Individuals who have been successful in the application process and who have a business interest or secondary employment which they wish to continue to hold as a police officer are encouraged to make an early enquiry with PSD to ensure that it would be compatible and whether or not it is likely to be approved.</p>
4.	<u>NEXT STEPS</u>
4.1	The current process will continue to operate and there are no proposed revisions.
5.	<u>FINANCIAL CONSIDERATIONS.</u>
5.1	The cost of managing this system is funded within established budgets.
6.	<u>PERSONNEL CONSIDERATIONS</u>
6.1	The application process requires an explanation of any staff implication.
6.2	Absence is monitored with reference to business interests where applicable.
7.	<u>LEGAL IMPLICATIONS</u>
7.1	There are no legal implications arising from this report.
8.	<u>EQUALITIES AND HUMAN RIGHTS CONSIDERATIONS</u>
8.1	<p>The Business Interest and Secondary Employment Policy and the accompanying procedures were developed 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>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.	<u>RISK</u>
9.1	The force is required to comply with the provisions of the Police Regulations and the Police Staff Terms and Conditions of Service in relation to Business Interests/ Secondary Employment. A Risk Management and Joint Tasking Forum operates with representation from the Professional Standards Department, Information Security, People Services, Corporate Communications, Procurement, Data Management and

	<p>Legal Services. This group monitors the potential to expose officers and staff to the risk of corruption, one of which is the existence of a business interest or secondary employment where there is an element of inappropriate association or risk of being cultivated for corrupt purposes or a link to another area of risk e.g. unmanageable debt.</p> <p>Officers or staff who come to the notice of the Professional Standards Department where there is reason to question their integrity are checked against the Business Interests and Secondary Employment Register for any corroboration or information of relevance.</p> <p>There has not been any relevant link between information on the register and investigations in the last 12 months.</p> <p>The register is also cross-referenced with the Gifts and Hospitality register and with information from Contracts and Procurement as well as information on earnings from the Finance Department. There have been no significant findings in the last year.</p>
10.	<u>PUBLIC INTEREST</u>
10.1	This is not a public document. Anonymised details of current Business Interests are provided by lawful requirement to the Police Service Publication Scheme and are published on the Gwent Police website for the information of the public. Details of individuals' Business Interests and Secondary Employment should not be made available to the general public by way of publication of this report as this could in itself expose officers and staff to risk of being targeted for corrupt purposes and the provision of personal data.
11.	<u>CONTACT OFFICER</u>
11.1	Detective Ch/Superintendent Mark Warrender, Head of Professional Standards
12.	<u>ANNEXES</u>
12.1	ANNEX 1 – Summary of new Business Interests 2017/18 including most common categories.