

**POLICE AND CRIME
COMMISSIONER FOR
LEICESTERSHIRE**

**ETHICS, INTEGRITY AND
COMPLAINTS COMMITTEE**

PAPER MARKED

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Report of	CHIEF CONSTABLE
Subject	GIFTS AND GRATUITIES
Date	FRIDAY 23 SEPTEMBER 2016 – 2:00 p.m.
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Purpose of Report

1. The purpose of this report is to inform the Committee of details in respect of the Force Policy and Procedure for Gifts, Gratuities and Hospitality and to highlight specific areas for discussion.

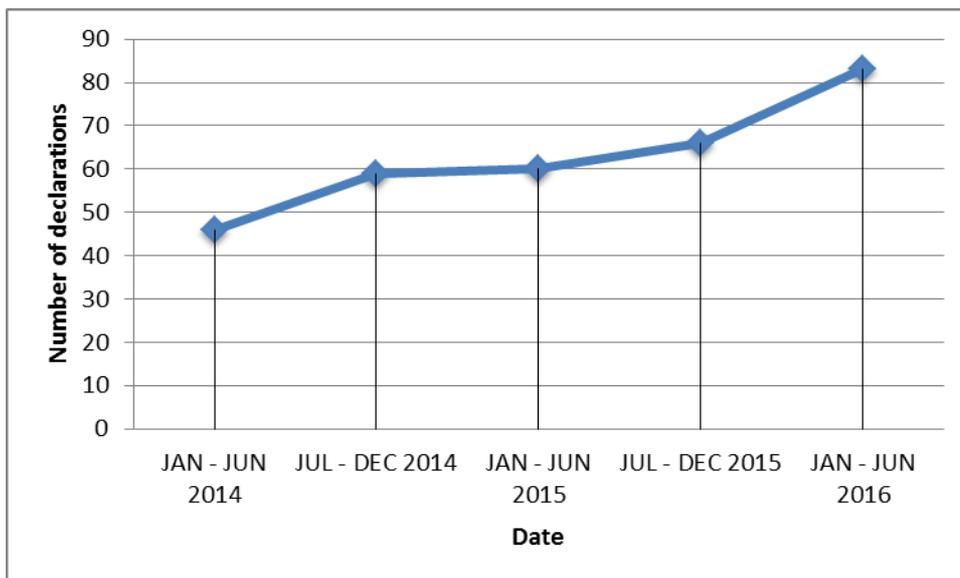
Recommendation

2. It is recommended that members:-
 - (a) Note the report contents
 - (b) Consider the areas highlighted for discussion.

Background

3. The receipt of gifts and hospitality by the police is an area of public interest, media scrutiny and frequent examination by inspecting bodies. The HMIC report 'Without Fear or Favour' (2011) highlighted the necessity for clear boundaries, checking mechanisms, governance and oversight in respect of police officers and staff receiving gifts and hospitality. In their examination of public views of police corruption and public confidence – 'Corruption in the Police Service in England and Wales' (2012) the IPCC examined public perceptions of the receipt of gifts by the police and identified corruption warning signs, such as where hospitality became regular, occurred outside of work time or involved alcohol or more substantial items as gifts.
4. The hard work, commitment and kindness demonstrated daily by the police officers and staff of Leicestershire Police is well recognised. It is therefore understandable that individuals or organisations may wish to express their gratitude to departments or individuals by offering a gift or a gratuity. Indeed, within the private sector, it is common business practice for customers and stakeholders to receive gifts and / or hospitality as part of negotiations or business transactions.

5. As a guiding principle, police officers and staff should not accept the offer of any gift, gratuity, favour or hospitality, when doing so might compromise their impartiality or give rise to a perception of such compromise. The police officer or staff member is therefore expected to interpret the 'intention behind the gift or hospitality' and assess not only whether it is likely to compromise their position, but also whether it could be perceived as such. The member of staff will have to consider the degree of lavishness of a gratuity or hospitality, its relative value, the industry norm, and the extent to which the gratuity or hospitality is connected to the business in question. The existence or otherwise of previously offered or accepted gratuities or hospitality may also be relevant. Of course, they complete this assessment with the awareness that a refusal to accept such an offer may cause unnecessary offence or might hinder productive working relationships. Where doubt exists, advice from the Professional Standards Department should be sought.
6. The Leicestershire Gifts and Gratuities Procedure originates from the ACPO Guidance on Gifts, Gratuities and Hospitality (2012) and is designed to protect staff by providing a register for both accepted and declined offers of gifts and gratuities. The register provides a transparent record and enables a common sense approach to be applied regarding the retention, approval or disposal of all such offers.
7. As a minimum, entries will include the nature of the offer, the surrounding circumstances in which the offer was made, the estimated value of the gift, gratuity or hospitality, and whether permission to accept any such offer was sought or granted. Such authority should be sought from a supervisor.
8. The register is published, with some redaction of officer name and rank, upon the Force website biannually. Declarations that are not required under the terms of the Force policy are removed from the register prior to publication.
9. The Force has experienced an upward trend in the declarations of Gifts, Gratuities and Hospitality.



10. The types of gift most regularly offered by members of the public to police officers are chocolates, biscuits and alcohol. The Gifts, Gratuities and Hospitality Procedure is currently silent upon the specific receipt of alcohol as a gift.

11. The view of the Ethics Committee is therefore invited on the following issue:

The receipt of alcohol as a gift

12. The receipt of alcohol (in the main bottles of wine) as a gift is regularly declared by officers and staff in line with the procedures. It is clear from the declarations that officers and supervisors are uncomfortable with gifts consisting of alcohol, and the declaration is invariably accompanied by a request for advice regarding retention or disposal.

13. Previously the Force directed that gifts comprising alcohol were not to be retained by the officer under any circumstances. Advice was therefore given to return the gift or, if this was thought likely to cause offence, arrangements were made for disposal to a charitable cause by the officer.

14. Recently however this stance has softened, partly as a response to circumstances in which a PCSO was presented with a bottle of champagne by Council Community Officers and residents on their beat on the event of their marriage. In the circumstances it was difficult to argue either the sentiment behind, or the appropriateness of, such a gift.

15. Subsequently the declaration of gifts which have included alcohol have been dealt with on a case by case basis. If a gift containing alcohol is assessed as being appropriate with regards to monetary value and the circumstances in which it was offered, then the officer has been allowed to determine whether it is retained, returned or otherwise disposed.

16. The committee is therefore invited to discuss the appropriateness of alcohol, received as a gift or gratuity, being retained by officers or staff for their own consumption, and to advise as to whether specific wording and guidance for alcohol should be included within the Gifts, Gratuities and Hospitality Procedure.

List of Appendices

None.

Background Papers

None.

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