



Gifts, Gratuities and Hospitality Procedure

This procedure is part of North Yorkshire Police policy to which all Chief Constable personnel and the functions provided by the Police, Fire and Crime Commissioner are required to adhere.

Procedure Statement

This procedure applies to all levels of the organisation including full-time and part-time police officers, members of the Special Constabulary, police staff, agency staff and volunteers acting on behalf of North Yorkshire Police (NYP). It provides instructions and guidance when it is and when it is not appropriate to accept gifts, and when the offer, refusal or acceptance of such gifts, gratuities or hospitality should be recorded.

Where a member of public or organisation wishes to express their thanks, they should be directed to the NYP website and PFCC Complaints and Recognition Team.

The unrestricted acceptance of gifts, gratuities or hospitality could lead to a loss of confidence in the integrity of the police, give rise to public concern or have an adverse effect on public confidence and the perception of police impartiality. Acceptance of certain gifts, gratuities or hospitality from some individuals or organisations, may lead to the inappropriate and inaccurate expectation of favour and could, in some circumstances, result in a breach of discipline or constitute a criminal offence.

The principle behind this procedure is that members of NYP should not accept gifts, gratuities or hospitality unless they meet the criteria specified in this document and correctly authorised. Unless the refusal of a gift, gratuity or hospitality would cause disproportionate embarrassment or other personal offence to the donor for any personal, cultural, religious or other reason it should always be refused and the donor politely made aware of the precautionary reasons why the Force has adopted this policy. Gifts, gratuities or hospitality cannot be solely accepted by or on behalf of an individual; they must always be associated with an organisational benefit.

All offers of gifts, gratuities or hospitality that meet the criteria for recording in accordance with this procedure must be recorded.

All gifts, which are taken into police possession must be retained in secure storage until authorisation is given for its disposal. The location of where the gift is stored must be recorded on the GGH approval form. Secure storage includes Temporary Stores, Designated Property Centres/Stores and any other secure storage facility deemed suitable by a member of the Chief Officer Team, an SNC Commander or a Head of Department.

Other Documents:

Thanks Page – NYP Website

Gifts and Gratuities – Professional Standards Subsite

The Police (Conduct) Regulations 2020 ([legislation.gov.uk](https://www.legislation.gov.uk))

Confidential Reporting and Whistleblowing Procedure



Process

1. KEY PRINCIPLES

Police Officers and staff should demonstrate the highest standards of professional behaviour, honesty and integrity. In particular they should not compromise or abuse their position by soliciting the offer of any gift, gratuities, favours or hospitality in any way connected to, or arising from, their role within the police service, whether on or off duty.

As a further guiding principle, police officers and police staff should not accept the offer of any gift, gratuity, favour or hospitality unless it complies with the circumstances and considerations as set out below as to do so might compromise their impartiality or give rise to a perception of such compromise.

Offers of a gift, gratuity or hospitality vary widely according to the circumstances and will range from readily identifiable criminality (such as a breach of the Bribery Act 2010) through to instances of entirely appropriate and reasonable displays of gratitude and common courtesy which do not breach the integrity of any party.

The provisions of the Bribery Act 2010 contain two general offences. These include, Section 1 – offering, promising or giving of a bribe (active bribery). Section 2 – the requesting, agreeing to receive or accepting of a bribe (passive bribery). The provisions of the Act extend to the definition of bribery to include seeking (or agreeing) to bring about improper performance of duties, which includes a public function such as policing. Improper performance amounts to any breach of an expectation that a person will act in good faith, impartially, or in accordance with a position of trust.

The Act does not prohibit reasonable and proportionate hospitality and promotional or other similar business expenditure intended to improve the image of a commercial organisation, market products and services, or build business relationships. However, it is clear that hospitality, promotional or other similar business expenditure can be employed as a bribe. Considerations in this regard will include 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.

During the course of their duties in the community, police officers or police staff may occasionally be offered gifts or hospitality which does not in any circumstances amount to an integrity breach on the part of either party. Examples of such include the provision of light refreshments as a common courtesy in line with policing duties, inexpensive promotional products from partnerships or conferences, or discounts aimed at all members of the wider police service.

Police officers and staff should be aware that at times a refusal to accept such an offer may cause unnecessary offence or might hinder productive working relationships. Equally, to accept such an offer may be mis-interpreted and could lead to inaccurate expectations of favour or service. Where doubt exists, advice from the Professional Standards Department should be sought.



2. REGISTER OF GIFTS, GRATUITIES AND HOSPITALITY

The Gifts, Gratuities and Hospitality register will be under the direction and control of the Head of PSD who will ensure scrutiny, auditing and governance in line with wider corporate governance arrangements for integrity and counter corruption.

As a minimum, entries should 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. Force guidance should identify the level of seniority at which approval for acceptance of a gift, gratuity or hospitality should be made.

The offer of a gift, gratuity or hospitality should be declared irrespective of whether or not it is accepted or rejected by the recipient. This demonstrates integrity, particularly in instances where there is a concern over the motivation behind the offer of the gift, gratuity or hospitality. The principle of transparency is of key importance, not the nature or value of the gift, gratuity or hospitality.

3. CONSIDERATION

The following considerations will help staff determine the boundaries of acceptability of any gift, gratuity or hospitality:

- **Genuine** – Is this offer made for reasons of genuine appreciation for something I have done? Why is this offer being made? What are the circumstances? Have I solicited this offer in any way or does the donor feel obliged to make this offer?
- **Independent:** Would the acceptance be seen as reasonable in the eyes of the public? Would a reasonable bystander be confident I could remain impartial and independent in all of the circumstances?
- **Free:** Could I always feel free of any obligation to do something in return? How do I feel about the propriety of the offer? What are the donor's expectations of me should I accept?
- **Transparent:** Would I be comfortable if my acceptance of this offer was transparent to my force, colleagues and to the public or was reported publicly? What could be the outcome for the force if this offer was accepted or declined?

To assist individual officer, special constables and police staff, line managers, heads of professional standards and chief officers to reach a consistency of approach in applying the considerations listed above; the following cases provide additional guidance.

**A Gift may be accepted if it is:**

A bona fide, unsolicited and inexpensive gift of thanks from members of the public or victim of crime offered to individual officers or teams in genuine appreciation of outstanding levels of service and where the offer of such a gift or hospitality cannot be courteously refused in a manner that does not cause offence or embarrassment to the organisation or individual making the offer.

All such gifts, as categorised above, should nonetheless be subject of declaration in the register (the offer – and refusal). However, if the gift comes fits into the below category it does not need to be the subject of declaration or authorisation:

- Of a trivial or inexpensive nature (for example diaries, calendars, stationery or other small items offered during a courtesy visit or conference);
- A small commemorative item from visiting overseas law enforcement of governmental agencies or similar organisations;
- Of a trivial nature (such as a single pack of biscuits, box of mince pies)

A Gift should not be accepted if it is:

- A Gift of alcohol (unless to do so would cause embarrassment). If accepted in these circumstances, the alcohol will be passed on to a suitable community organisation or charity. No alcohol will be retained by police officers or staff. Particular care should be taken in identifying the charity to donate alcohol to as some charities will not feel it appropriate to accept it due to religious, cultural or other reasons;
- From external contractors or companies tendering for work with the force or wider service;
- A cash payment (other than donations to specific police charities or police supported charities);
- A financial reward resulting from the publication of articles relating to the intended recipient's role or duties as a member of a police force.

All such gifts should be subject of a declaration in the force register (the offer - and refusal).

A Gratuity may be accepted if it is:

- An offer or discount negotiated through the Police Federation, The Superintendents' Association, or other staff association or trade union (Unison);
- A discount to the public service workers including members of the police service offered on the basis that the organisation in question has a large customer base (and the force has given explicit approval for such an offer);

There is no requirement to declare any such gratuity in the force register.

Gratuities which amount to individual gain from points scheme when purchasing services, items or fuel are not acceptable.

**Hospitality may be accepted it if:**

- Extends to the impromptu provision of light refreshments during the course of policing duties;
- Is a conventional meal provided during the course of a working day by another police force or partner agency in either law enforcement or community safety.

In either case, there should be no requirement to declare any such hospitality in the force register.

Hospitality can be accepted but needs to be recorded if it:

- is a conventional meal and may extend to the limited consumption of alcohol commensurate with the occasion, and is in accordance with the recipient's duties, for example attending a meeting, seminar or conference organised by an external body; the annual dinner of a representative association of local authority which is limited to or isolated or infrequent occasions and can be demonstrably in the interests of the force to attend. Such an offer of hospitality must be declared in the force register

Hospitality will not be acceptable if it;

- Amounts to regular free or discounted food or refreshments on duty, or off duty where the hospitality offered in made because the recipient is a police officer or member of police staff;
- Includes a degree of lavishness which is outside the industry norm or is beyond any sense of common courtesy ore reasonableness. This is particularly relevant to any more than minimal consumption for alcohol in a casual or informal setting.

Such offers should be declared in the force register.

4. DECLINING AND RETURNING UNACCEPTABLE GIFTS

Offers of inappropriate gifts should be refused politely, with an appropriate explanation regarding the acceptance of the gift.

It is recognised that tact and sensitivity are needed in order not to cause offence, however it is important that not only do members of the Police Service staff not retain inappropriate gifts, but also that the donor is aware of this fact. An exception to this is where returning or declining a gift would cause extreme and unnecessary offence, and donating the gift to charity would be more appropriate. In any event, full details, including details of disposal, must be recorded.



It is important that everyone to whom this procedure concerns maintains cultural awareness with regard to gifts. There are many cultures where the giving and receiving of gifts is of great importance, and declining of such could be taken as an offence. It is therefore important that where a GGH is made, that cultural awareness is included within the authorisation form so the relevant authority can, if required, seek support and guidance from the DEI networks.

5. CANVASSING OF GIFTS FOR PRIZE DRAWS AND SPONSORSHIP

This policy also applies to donations of prizes for charity draws, which are associated with the Police Service. Whilst raising money for charity is worthwhile, maintaining police integrity must take priority. Officers and staff should be aware that the soliciting of gifts from local businesses can be an unwelcome request which can be difficult for businesses to refuse, and could also be perceived as fostering relationships which are damaging to the overall integrity of the organisation. All approaches to local businesses, must therefore be authorised by the HoPSD. All donations for charity must be recorded.

6. RECORDING AND AUTHORISATION

All Police Service staff are personally responsible for reporting and recording any offer of a gift, gratuity or hospitality. The following procedures should be followed in respect of offers of gifts, gratuities and hospitality:

Where a member of the Police Service staff has received an offer of a gift, gratuity or hospitality, they will complete the Gifts, Gratuity and Hospitality Power App (GGH PowerApp). If there is not sufficient information, the approving officer should seek further information from the member of staff. Where possible approval must be given before the gift, gratuities and hospitality is accepted. Where such an approval cannot be granted in advance the member of staff should complete the GGH PowerApp entry as soon as practicable afterwards, and not exceeding five days after the event. A link to the GGH PowerApp is available on NYP Intranet at GGH Powerapp Link.

The decision on whether any gift, gratuity or hospitality can be accepted must be undertaken by the relevant authority. GGH up to £25 will be considered by the Head of Function. GGH exceeding £25 must be considered by the Head of Professional Standards.

7. MONITORING AND COMPLIANCE

The monitoring and implementation of this guidance is the responsibility of the Professional Standards Department.

The GGH PowerApp is maintained by PSD and all entries, whether accepted or rejected, are recorded on there.



8. RESPONSIBILITIES

All Police Service staff are personally responsible for reporting and recording any offer of a gift, gratuity or hospitality.

Individual who hold a supervisory role are responsible for assessing the offer of the gift, gratuity or hospitality and passing the GGAF to the appropriate authorising authority.

Area Commanders, Heads of Departments and the HoPSD are responsible for decision making and authorisation or rejection of the GGH.

Definition of Special Terms

GGH PowerApp – the electronic system created to administer the Gifts, Gratuities and Hospitality process.