

Gifts and Gratuities Data for Joint Audit & Ethics Committee Meeting Monday, 12th October 2020

Background

National headlines concerning issues of integrity within the Police Service continue to receive high levels of public interest. They highlight the significant reputational risk that such issues can have for forces. In some cases this has resulted in detailed scrutiny of existing force arrangements, both by media organisations and by relevant audit and inspection bodies.

The recommendations that came out of historic reviews prompted the publication of a set of national standards for the recording and monitoring of gifts, gratuities and hospitality. The document is called the “ACPO Guidelines on Gifts, Gratuities and Hospitality (2012)”.

The acceptance of gifts, gratuities and hospitality can undermine personal and professional integrity and can in turn undermine public confidence in the police service. As a result, the Constabulary has reviewed its own guidelines for the acceptance of gifts, gratuities and hospitality from members of the public, businesses and from corporate bodies.

There is recognition that offers of a gift, gratuity or hospitality vary widely according to the circumstances, ranging from readily identifiable examples of criminality (such as a breach of the Bribery Act 2010) through to instances of entirely appropriate and reasonable extension of gratitude and common courtesy, which do not amount to the breach of integrity of any party.

Process

All staff irrespective of role, rank or circumstance are asked to consider the following mnemonic (**GIFT**) when accepting gifts or gratuities:

Genuine:

- *Is the offer made for reasons of genuine appreciation for something that you have done in the course of your duties or role?*
- *Consider why this offer is being made and the circumstances in which it is done so.*
- *Have you encouraged this offer in any way?*
Is it possible that the donor feels in any way obliged to make this offer?

Independent:

- *Would the offer or acceptance of the gift be seen as reasonable to a member of the public?*
- *Would they be confident that you would remain impartial in your duties or role?*

Free:

- *Are you comfortable with the offer?*
- *Do you feel free from any obligation to do something in return?*
- *What are the donor's expectations should you accept?*

Transparent:

- *Are you comfortable that the acceptance of this offer of a gift or hospitality would stand scrutiny by the Constabulary, your colleagues or the public if it was reported publicly?*

- *What could be the outcome for you and the Constabulary if the offer was accepted or declined?*

All offers of gifts, gratuities or hospitality, irrespective of whether they are accepted or rejected by the recipient, will be recorded in a single corporate register administered by the Integrity and Anti-Corruption Team.

The system owner of the Gifts and Gratuities Register and associated processes is the Head of Professional Standards.

The Gifts and Gratuities system is accessed via the force intranet. The system presents users with a template that asks specific questions relating to the nature of the gift, the reason for it being offered, the person or organization making the offer and the subsequent disposal of it. The data from the submission template is automatically uploaded to a central database hosted on the Force Sharepoint site.

On a monthly basis the Head of PSD reviews all submission to the Gifts and Gratuities Register to ensure that a consistent level of scrutiny and governance is applied and that where necessary individuals are challenged or held to account for the acceptance of offers. This process is also used to identify any recurring recipients or donors and also to identify any offers that may indicate a motive other than a legitimate and unsolicited appreciation for services provided.

In line with the Force Publication Scheme, the Gifts and Gratuities offered to members of the Constabulary are posted on the Force internet site for public information. The data is redacted to remove any personal information and provides various breakdowns of the information recorded on the Register.

Analysis

There is an expectation that similar numbers of gifts would be recorded for the different policing areas within the force but the data would suggest this is not the case and would indicate that there is a degree of under recording in some areas. South Division recorded significantly less gifts than both the other two geographic divisions accounting for only 6.7% of the force total.

Year on year the total number of gifts recorded has decreased by 6.3% from 127 (18/19) to 119 (19/20). This is the third consecutive year that total recorded gifts have shown a decrease.

Anecdotally, we know that promotional activity on the part of PSD to advise staff of their duty to record offers of gifts does result in a short term increase in recording and again this is an indication that not all offers are being recorded as they should.

The bulk of gifts are divided into two distinct groups, namely those offered to staff who hold position of authority or who are key representatives of the force and those who are regularly engaged in face to face contact with members of the public.

The introduction of the option to record offers as "Re-gifted" has helped resolve the dilemma faced by some staff who have found it difficult to politely or sensitively refuse gifts in circumstances where it might not normally be appropriate to do so.

While there is a requirement to record gifts that are rejected, the number actually registered only represents about 19.3% of the total recorded which is the same as the previous year (19.6%).

The larger value gifts tend to relate to services or hospitality as opposed to the offer of a tangible item.

A large proportion of gifts received by the Chief Officer Team are corporate invitations to attend functions in their capacity as a senior representative of the organisation and although recorded are not personal gifts.

Emerging Issues

- A local solicitor's firm who routinely attend the police station as representatives of detained persons offered all the staff who work on the Front Desk or in Custody Reception bottles of alcohol of their choice. While it has been suggested that this practice ceased and such gifts be rejected in future each of the recipients made a submission to the Gifts and Gratuities Register.
- 23 of the 119 submissions make reference to the gift being made as a result of Covid-19. This varies from general public appreciation to key workers to businesses offering surplus stock to officers/staff instead of it going to waste.
- Hospitality provided at functions where the attendee is there as a formal representative of the force and where it would be deemed part of their duties and responsibilities to attend. Under the current Gifts and Gratuities policy this would not be assessed as a personal gift but for transparency purposes they are being recorded.
- It was recently highlighted by other forces that gifts and gratuities made to officers and staff who work for police staff associations (Police Federation and UNISON) are not routinely being registered on the force register. This would also appear to be the case in Lancashire.
- The offers of sponsorship or corporate donations from commercial enterprises has recently been highlighted and although they don't currently fall under the remit of the Force Gifts and Gratuities Policy, this may be addressed when the policy is reviewed

Please see over for table of **Gifts and Gratuities Data - 01/04/19 to 31/03/20**

Gifts and Gratuities Data - 01/04/19 to 31/03/20

Rank	Accepted	Rejected	Total
Chief Constable	5	14	19
Deputy Chief Constable	1		1
Assistant Chief Constable		1	1
Director of Resources	8	1	9
Chief Superintendent	1	2	3
Superintendent	1		1
Head of Legal		1	1
Chief Inspector		1	1
Inspector	5		5
Sergeant	8		8
Constable	32	1	33
PCSO	7		7
Special	2		2
Police Staff (LC1 to LC14)	26	1	27
Agency or Contractor	1		1
Grand Total	106	23	119

Department	Accepted	Rejected	Total
Chief Officer Group	14	16	30
CID	9		9
CJS	2		2
Community Safety	3		3
Contact Management	19		19
Corporate Development	2	1	3
Divisional Intelligence Unit	1		1
Firearms	1		1
Immediate Response	23		23
Legal		1	1
NHP	14	1	15
Operational Support Unit	2		2
PPU	3		3
Road Policing	1		1
Scientific Support	1		1
Senior Management Team	2	3	5
Grand Total	106	23	119

Division	Accepted	Rejected	Total
Headquarters	26	19	45
West	34	2	36
South	8		8
East	29	1	30
Grand Total	106	23	119

Category	Accepted	Rejected	Total
Accommodation or travel	1	1	2
Entertainment or functions	3	8	11
Food and drink	71	9	80
Monetary	1	1	2
Object	11	1	12
Other	10	2	12
Grand Total	106	23	119

Value	Accepted	Rejected	Total
£10 to £50	26	7	33
£100 to £500	8	3	11
£5 to £10	26	4	30
£50 to £100	6	2	8
less than £5	23		23
No value	5	5	10
Over £1000	3	1	4
Grand Total	106	23	119

Relationship	Accepted	Rejected	Total
Community related	28	6	34
Crime related	12	2	14
Friend or associate	21	9	30
Incident related	9	1	10
Supplier / Service provider	27	4	31
Grand Total	106	23	119