
WILTSHIRE POLICE FORCE POLICY and PROCEDURE



Gifts & Hospitality

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POLICY STATEMENT

On occasion members of Wiltshire Police may be offered gifts and hospitality by members of the public. Wiltshire Police recognises the fact that the majority of such offers will be made for a genuine reason, for instance a small, inexpensive item such as a card, flowers or chocolates to express gratitude to an individual or team, or an item of food or drink offered through kindness and to show support for the Police Service.

It is not anticipated that inexpensive gifts would compromise the integrity of individuals within Wiltshire Police, such as discounts aimed at all members of the wider police service (e.g. advertised discounts through police publications). However, all gifts and gratuities must be declared in accordance with force policy where approval will be required from the Head of the Professional Standards Department (or delegated representative) to accept a gift or hospitality.

It is therefore important for Wiltshire Police staff and volunteers to understand when it is appropriate to accept such offers and when it is not. All Officers and staff must be aware that not all offers of gifts and hospitality will be appropriate. The motivations of the donor need not necessarily be criminal or corrupt for the integrity of the individual employee or the service as a whole to be damaged.

The NPCC 'Abuse of Position for a Sexual Purpose' strategy sites Gifts and Hospitality as an area of risk/vulnerability with regards to this form of serious corruption. As such the matter is to be considered in annual Integrity Health Checks, conducted as part of the PDR.

Any gift or hospitality that is or could be reasonably seen as an attempt by a member of public to initiate or pursue a sexual or inappropriate relationship with a member of Wiltshire Police must be refused and steps taken to alert line management and CCU (see [procedure section](#) below).

It is vital that all officers, staff and volunteers understand the reporting procedures when they are offered a gift or hospitality to ensure transparency, prevent manipulation and corruption and the opportunities for corruption.

Wiltshire Police expects all personnel to abide by the Standards of Professional Behaviour for Police Officers and the Code of Conduct for Police Staff, as well as the College of Policing Code of Ethics and maintain the highest standards of professional conduct. Public confidence relies on the integrity of the Force and is linked directly to one of our organisational principles that we will build upon public approval and confidence in Wiltshire Police, as well as our Force values of impartiality, integrity and transparency.

Acceptance of an inappropriate gift if the provision is because the donor is aware of the recipient's role, whether on or off duty, which could compromise the organisation may lead to disciplinary action being instigated

It is therefore the responsibility of all staff to declare and report gifts and hospitality offered to them on the basis of their role as part of Wiltshire Police. If in doubt, individuals should contact their first or second line manager, Counter Corruption Unit (CCU) or visit the [Gifts and Hospitality intranet site](#) for advice.

AIM OF THE POLICY

This policy makes a requirement for all offers of gifts and hospitality to be recorded, unless they are subject to an exemption.

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APPLICABILITY

This policy and procedure applies to all Police Officers, Police Staff, Special Constabulary and Volunteers.

While this policy and procedure may not apply to third Party personnel, they should be made aware of their responsibility to comply with the principles enshrined in the [Code of Ethics](#).

This policy and procedure does not apply to individuals acting in their capacity as part of any approved secondary employment or declared business interest.

LEGAL BASIS AND DRIVING FORCE

This policy and the procedure take their legal basis from the following principles:

- Bribery Act 2010
- Criminal Justice and Courts Act 2015 (s26)
- The Police (Conduct) Regulations 2020 for Police Officers.
- The conditions of employment for Police Staff.
- The principles of ECHR namely; legality, legitimacy, proportionality, necessity and accountability.
- Wiltshire Police Organisational Principles.
- Code of Ethics
- Vetting Codes of Practice

Section 26 of the Criminal Justice and Courts Act 2015 relates to the corrupt or other improper exercise of police powers and privileges. A police constable exercises the powers and privileges of a constable improperly if they exercise (or fail to exercise) a power or privilege for the purpose of achieving a benefit for themselves, or a benefit or a detriment for another person.

Under the Bribery Act 2010 it is an offence to accept a gift or consideration as an inducement or reward for doing or not doing anything in your official capacity; or showing favour (or disfavour) to anyone in your official capacity. Any money, gift or consideration including hospitality, received from any person or organisation holding or seeking to obtain a contract with the Police may be deemed by the courts to have been received corruptly unless proved otherwise.

The offences can be summarised as don't offer a bribe, don't accept a bribe and don't bribe a foreign official. A corporate body can also be liable but may utilise a defence that they had "adequate procedures" in place to prevent bribery.

The Bribery Act does not prohibit reasonable and proportionate hospitality and promotional or other similar business expenditure, intended to improve the image of a commercial organisation, to better/present products or services, or to establish cordial relations.

RELATED POLICIES, PROCEDURES and OTHER DOCUMENTS

ACPO Guidelines on Gifts, Gratuities and Hospitality

[College of Policing Code of Ethics](#)

[NPCCAG Abuse of Position for a Sexual Purpose strategy](#)

AUTHORISED PROFESSIONAL PRACTICE

[Professional Standards](#) (NB: this site contains some relevant information but is still under Development)

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DATA PROTECTION

Any information relating to an identified or identifiable living individual recorded as a consequence of this policy will be processed in accordance with the Data Protection Act 2018, General Data Protection Regulations and the Force [Data Protection Policy](#).

FREEDOM OF INFORMATION ACT 2000

This document has been assessed as suitable for public release.

MONITORING AND REVIEW

It is good practice to have a process in place that assures the regular formal review of all policies. Quarterly the HRBC will produce a report for the Information Management and Assurance to facilitate monitoring of gifts and hospitality and to ensure the compliance of Force policy.

Gifts & Hospitality management information will be provided to the People Intelligence Board with Governance from the Standards Board. Overall Governance will be provided by the Force Ethics and Standards Board chaired by the DCC.

This Policy and Procedure is owned by Professional Standards. The Head of Professional Standards will ensure that this policy is reviewed annually.

WHO TO CONTACT ABOUT THIS POLICY AND PROCEDURE

Professional Standards are responsible for this policy and procedure. Contact can be made with the department by the following means – Email: ProfStand@wiltshire.police.uk

GIFTS & HOSPITALITY PROCEDURE

1. RECORDING OBLIGATION

It is the responsibility of all members of Wiltshire Police to declare gifts or hospitality offered by a member of the public when the offer is made because the intended recipient is a member of the Police Service. This also applies to an attempt by a member of public to initiate or pursue a sexual or inappropriate relationship with a member of Wiltshire Police.

This is a mandatory requirement in all instances where an offer is made by a member of the public or an outside organisation.

The obligation to record is applicable whether the individual employee is on or off duty at the time and regardless of whether the offer is accepted or not.

There is no requirement to record gifts or hospitality offered by other members of the Police Service. There is also no requirement to record gifts received in the course of normal private life from bona fide friends, relatives and associates.

2. RECORDING & APPLICATION PROCESS

2.1 Recording offers of gifts and hospitality

All offers of gifts and hospitality will be recorded on the [Gifts & Hospitality Register](#) (located on the Professional Standards Sharepoint site) which will be submitted for approval.

Even if the gift or hospitality is refused by the member of Wiltshire Police **and regardless of the result of the application** (approved or denied), **the gifts and hospitality register MUST still be completed**. This is to identify potential corrupters of police officers and staff, i.e. persons who make multiple offers to multiple officers/staff.

While Section 2 of this policy and procedure is applicable where the **motivation** of the donor of a gift or hospitality could be seen as sexual or in pursuit of an inappropriate relationship, it does **not** apply where the gift or hospitality itself is a sexual act or advance. The Gifts and Hospitality register is not the appropriate process to use in such instances as the register is disclosable to the general public. Also, the individual member of Wiltshire Police concerned could be caused significant embarrassment as the register may be viewed by other members of the Force.

As such an instance would be an overt and direct risk to the integrity of the Force and the individual, the subject personnel must inform their line management without delay so that any immediate risk to the individual and other personnel can be assessed. A detailed report must then be made to CCU as soon as practicable.

2.2 Authorisation

Initial authorisation should be obtained prior to the acceptance of gifts and hospitality wherever possible from a line manager of at least the rank of Inspector or Police Staff equivalent.

In urgent cases where authorisation cannot be obtained through the Inspector or Police Staff equivalent, approval may be sought from a line manager of at least the rank of Sergeant or Police Staff equivalent.

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2.3 The Gifts & Hospitality Register

The detail that is required to be recorded on the register application is:

- Recipient, Recipient's department and Line Manager.
- Gift/Hospitality description
- Details
- Value
- Date of Offer
- Donor Details
- Circumstances
- Genuine
- Independent
- Free
- Transparent
- Accepted or Declined
- Authorising Officer
- Disposal/Current Location

CCU management nominated by the Head of Professional Standards will maintain the central register for all gifts and hospitality and make the final decision to approve or decline applications.

CCU will monitor the register to identify potential threats to the integrity of the Force and its employees from unscrupulous or criminal individuals or groups.

The Gifts and Hospitality Register is open to public review to ensure transparency and maintain the integrity of the Force and its employees.

2.4 Applicants' guidance

Although many of the fields requiring completion in the Gifts Register are self-explanatory, the guidance below may assist the application process:

Gift/Hospitality description: This should be a simple overall description of what was received. *For example: Box of chocolates and a card.*

Details: A detailed description is required, including (if applicable) quantities, etc.

Value: Approximate value should be recorded if the full value is not known.

Donor Details: As much detail as possible should be entered here regarding the person(s) who made the offer of a gift or hospitality.

Circumstances: The applicant should record sufficient detail to identify time and location, reason for being at the location and, if the donor is known to the applicant, how they know them *(For example: the donor was a witness or victim in a case dealt by the applicant, a resident on the applicant's regular beat or the Head teacher of a local school frequented by the applicant as part of community engagement).*

Genuine: Is the offer made for reasons of genuine appreciation for something the applicant has done? Why is the offer being made? The applicant must ask themselves whether they have solicited the offer in any way or whether the donor feels obliged to make the offer.

Independent: Would the offer or acceptance be seen as reasonable in the eyes of the public and would a bystander remain confident that the applicant could remain impartial and independent as a result?

Free: The applicant must not feel obliged to do something in return. What are the donor's expectations of the applicant in return?

Transparent: Would the applicant feel comfortable if the details of their acceptance were made known to the public, colleagues or the Force?

Authorising Officer: Remember, the authorising officer must be the Detective Inspector CCU, or Head of Professional Standards or a supervisor of at least the rank of Inspector/Staff equivalent.

Disposal/Current Location: If a gift was accepted, the method of disposal or place where it is stored should be clearly described. When items are accepted prior to authorisation and are not perishable (see 6 and 7 below), they should be stored in a secure place on Police premises and the exact location should be noted on the register.

3. ASSESSING OFFERS OF GIFTS AND HOSPITALITY.

During the course of their duties within the community, police officers and staff may occasionally be offered gifts or hospitality which do not in any circumstances amount to a breach of integrity 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 community. There is no requirement to record such gifts and hospitality.

While offers of gifts and hospitality should be assessed on a case by case basis, gifts or gratuities that could compromise impartiality should never be accepted.

At the point of an offer being made, any member of Wiltshire Police must ask themselves the following questions:

- What are the background circumstances?
- What are the motivations of the person making the offer?
- Does the donor feel obliged to make the offer?
- What would the perception of the public be should the gift or hospitality be accepted?

4. REFUSING GIFTS & HOSPITALITY

Where the motivation behind the offer or the prevailing circumstances are inappropriate or could be perceived by the public as such then the offer must be refused there and then and the matter declared immediately via the electronic register.

4.1 Unacceptable gifts & hospitality

There is no exhaustive list of circumstances where a gift or hospitality should be immediately refused, however, in the following examples offers must be refused regardless of the value or form that the gift or hospitality may take:

- Gifts of thanks or tokens of affection from a member of the public that is or could be reasonably suspected to be an attempt to initiate or pursue a sexual or otherwise inappropriate relationship.
- Individuals or groups seeking to achieve some form of political objective.
- Individuals or groups seeking to prevent (by lawful means or otherwise) members of the public (as individuals, companies or employees) conducting a lawful activity.

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- Individuals or groups involved in criminality or who advocate either active or passive non-compliance with the law.
 - 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 recipient's role or duties as a member of the Police Service.

Acceptance in circumstances such as these could bring the integrity of the member of Wiltshire Police into question and leave the individual member of the Force open to accusations of corruption that could damage the public trust and confidence in the service.

5. ACCEPTING GIFTS & HOSPITALITY WITHOUT AUTHORISATION

Where authorisation is denied the individual must not accept the offer made to them unless circumstances are such that sufficient offence would be caused to damage the relationship or image of the individual or the Force with that person or community.

5.1 Storage of unauthorised items

In such cases where a gift is accepted without authorisation, management must be informed as soon as possible and the gift stored in a secure location on Police premises until advice regarding appropriate disposal can be obtained from CCU management (as delegated by the Head of Professional Standards) or a line manager of at least the rank of Inspector/Staff equivalent.

If an unauthorised item is perishable and only accepted to prevent offence to the donor then it may not be appropriate to store for a reasonable amount of time pending advice on disposal (for example: food containing dairy or raw meat). In these circumstances it will be appropriate to dispose of the item(s) in an appropriate waste bin as soon as practicable.

5.2 Consumption of perishable Items prior to obtaining authorisation

It is made clear in this policy that authorisation must be sought before accepting gifts or hospitality. However, it is recognised that some offers made in good faith will be of perishable food and drink that will spoil if stored awaiting authorisation.

In cases such as this, as long as the offer is proportionate to the role the officer is fulfilling then immediate consumption will be appropriate.

The individual Officer will be expected to apply this test using their common sense and should seek guidance from a supervisor if required.

For example: A box of 6 cream cakes worth £5 offered to a response Officer to share with their shift colleagues may be proportionate, however, the offer to the same officer of a three course meal worth £50 would not.

DOCUMENT ADMINISTRATION

Ownership:

Department Responsible: Professional Standards Department
Policy Owner/Author: Supt. Head of Professional Standards / CCU Manager
Technical Author:
Senior Officer/Manager Sponsor: Deputy Chief Constable

Revision History:

Revision Date	Version	Summary of Changes
30.07.2018	2.0	Draft v1.3 published as substantive version 2.0 replacing ACPO Guidelines on Gifts, Gratuities and Hospitality 25012 as Force policy.
11.03.2021	3.0	Scheduled review minor changes to regulation and post titles.

Approvals:

This document requires the following approvals:

Name & Title	Date of Approval	Version
Force Policy Officer	22.03.2021	3.0
Supt. Steve COX (Head of PSD)	11.03.2021	3.0
JNCC (Not required for all policies)	N/A Minor amendments only	

Distribution:

This document has been distributed via:

Name & Title	Date of Issue	Version
E-Brief	02.08.2018	2.0
Email to relevant affected Staff/Officers		
Other		

Diversity Impact Assessment:

Has a DIA been completed? If no, please indicate the date by which it will be completed. If yes, please send a copy of the DIA with the policy.	☐ Yes ☐ No Date:
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Consultation:

List below who you have consulted with on this policy (incl. committees, groups, etc):

Name & Title	Date Consulted	Version

Implications of the Policy:

Training Requirements

No additional training requirements

IT Infrastructure

No additional IT infrastructure required.

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