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Gifts Gratuities and Hospitality

This Service Instruction provides police officers and police staff with a framework to determine the boundaries of acceptability regarding the receipt of gifts and hospitality.



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1. Introduction

The Police Service of Northern Ireland (PSNI) has a responsibility to reinforce the importance of preventing allegations of corrupt practices or improper relationships with any member of the public or corporate body arising from the offer, or acceptance of, any gift, gratuity or hospitality. It is important that all officers and staff understand how the acceptance of gifts, gratuities or hospitality can undermine personal and professional integrity.

Gifts, gratuities and hospitality will therefore only be accepted by the Police Service or by any individual within the Police Service, in accordance with this Service Instruction.

While these guidelines relate to the acceptance of gifts, gratuities or hospitality, police officers and staff should be aware that the key principles outlined are also relevant when providing any gift, gratuities or hospitality to a third party. Further detail on the acceptable limits for provision of such items can be found under the Finance Guidance on the Provision of Hospitality.

2. 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 staff should not accept the offer of any gift, gratuity, favour or hospitality unless it complies with the circumstances and considerations as set out in this Service Instruction. To do so may 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 examples of criminality (such as a breach of the Bribery Act 2010) through to instances of entirely appropriate and reasonable display of gratitude and common courtesy which do not breach the integrity of any party.

The provisions of the Bribery Act 2010 contains two general offences covering the offering, promising or giving of a bribe (active bribery) and the requesting, agreeing to receive or accepting of a bribe (passive bribery). The provisions of the Act extend 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 establish cordial relations. However, it is clear that hospitality and promotional or other similar business expenditure can be employed as bribes. 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 the either party. Examples 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 misinterpreted and could lead to inaccurate expectations of favour or service. Where doubt exists, advice from a manager or Professional Standards should be sought.

3. Register of Gifts Gratuities and Hospitality

The Gifts & Hospitality Register will be under the direction and control of the Head of Anti-Corruption & Vetting. Detective Superintendent Anti-Corruption & Vetting will ensure scrutiny, auditing and governance of the Gifts & Hospitality Register 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.

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.

4. Considerations

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 the 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 offer or 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 the Service, colleagues, and to the public or was reported publicly? What could be the outcome for the Service if this offer was accepted or declined?

To assist individual police officers and staff, line managers and Chief Officers achieve a consistent approach in applying the considerations listed above; the cases contained in the table at [Appendix A](#) provide additional guidance.

5. Declining and Returning Unacceptable Gifts

Offers of inappropriate gifts should be refused politely; with an explanation that acceptance of the gift is contrary to the Police Service policy. This Service Instruction is available under the publication scheme so that members of the public are able to see what is and is not acceptable.

It is recognised that tact and sensitivity are needed in order not to cause offence, however it is important that not only do police officers and 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.

The Police Service supports a number of charities on an annual basis and consideration should be given to disposing of any inappropriate gift via these charities. In any event, full details, including details of disposal, must be recorded.

6. Canvassing Of Gifts for Prize Draws and Sponsorship

This Service Instruction 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 District Commander for the area where the business is located, or in the case of a national organisation, Assistant Chief Constable (ACC) Operational Support Department. All donations for charity must be recorded in the Gifts & Hospitality Register.

7. Recording and Authorisation

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

- Where a member of the Police Service has received an offer of a gift, gratuity or hospitality, they will submit a report via the electronic Gifts & Hospitality Register on e-services for information or, if appropriate, requesting approval. Information must be full enough so that it can be justified at a later date. If there is not sufficient information, the approving officer should seek further information from the member of staff.
- The decision on whether any gift, gratuity or hospitality can be accepted lies with the individual's counter-signing manager, or for Superintendents / Grade 7 and above, their direct line manager. In instances where there is a need to amend the approving officer, for example, due to long term absence, the approving officer can be manually amended on screen.
- Whilst there is no specified monetary limit on what is acceptable, advice should be sought from Professional Standards in cases where an individual wishes to accept a gift which exceeds £50.

- Where possible, approval must be given before the gift, gratuity or hospitality is accepted. Where such approval cannot be granted in advance the member of staff should submit a request on e-services as soon as practicable afterwards and not exceeding 5 days after the event.
- Members of the Senior Executive Team are personally responsible for recording any gift, gratuity or hospitality, and returns are subsequently reviewed by the Deputy Chief Constable. Separate recording mechanisms are currently in place for the Senior Management Team. Prior approval should be sought in areas of doubt or which could be potentially contentious.

contained in Gifts & Hospitality Registers may also be released as a result of Freedom of Information requests.

8. Monitoring and Inspection

Superintendent, Anti-Corruption and Vetting Branch will ensure the gifts register is scrutinised on a twice yearly basis, and will report any areas of concern to the relevant management structure.

An annual report on trends relating to gifts, gratuities and hospitality will be provided to the Chair of the Audit & Risk Committee.

Entries relating to the Senior Executive Team are published on the publication scheme. It is possible that information

Appendix A Summary of Gifts, Gratuities & Hospitality categories

	May be Acceptable	Is not Acceptable
Gift	<ul style="list-style-type: none"> • Of a small 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 or governmental agencies or similar organisations; • A bona fide, unsolicited and inexpensive gift of thanks from a member 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. <p>Must be recorded in the gifts & hospitality register. Advice should be sought from PSD for offers over £50 in value.</p>	<ul style="list-style-type: none"> • From an external contractor or company tendering for work with the PSNI or any other police service. Procurement Guidance for Staff also refers. • 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 the PSNI. <p>Offers - and refusal - must be recorded in the gifts & hospitality register</p>
Gratuity	<ul style="list-style-type: none"> • An offer or discount negotiated through the Police Federation, the Superintendents' Association, or other staff associations or trade union; • A discount to public service workers including members of the police service offered on the basis that the organisation in question has a large customer base of a trivial or inexpensive nature (and the PSNI has given explicit approval for such an offer); • Gifts made between members of staff to mark occasions such as retirement. <p>There is <u>no</u> requirement to declare the above gratuities in the gifts & hospitality register</p>	<p>Gratuities which amount to individual gain from a points scheme when purchasing services, items or fuel are not acceptable.</p>

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Hospitality	<ul style="list-style-type: none">• 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 a partner agency in either law enforcement or community safety? <p>There is no requirement to declare hospitality of this type in the gifts & hospitality register.</p> <p>Hospitality may also be accepted if it:</p> <ul style="list-style-type: none">• 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 or local council which is limited to isolated or infrequent occasions and can be demonstrably in the interests of the PSNI to attend. <p>Offers of hospitality of this type must be recorded in the gifts & hospitality register.</p>	<ul style="list-style-type: none">• Amounts to regular free or discounted food or refreshments on duty, or off duty where the hospitality offered is made because the recipient is a police officer or member of police staff;• Includes a degree of lavishness which is outside of the industry norm or is beyond any sense of common courtesy or reasonableness. This is particularly relevant to any more than minimal consumption of alcohol in a casual or informal setting. <p>Offers must be recorded in the gifts & hospitality register.</p>
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Appendix B Contact Us

Service Instruction Author

Professional Standards

Branch Email

ProfessionalStandardsOCMT@psni.pnn.police.uk