

STANDARD OPERATING PROCEDURES:

OFFICE OF THE BEDFORDSHIRE POLICE AND CRIME COMMISSIONER

Title	Gifts and Hospitality
Area of Compliance	Compliance
Version No.	Version 2.0
Senior Lead	Head of Governance and Transparency
Author	Compliance
Authorised by	Head of Governance and Transparency

Revision History

Date	Revision	Change	Section	Review Date
December 2015	1.0	New Document		
December 2016	1.0	No change		
December 2017	1.0	No change		
September 2018	1.0	No change		September 2019
19/06/2020	1.0	No change		19/06/2021
17/09/2021	1.0	No change		17/09/2022
17/10/2022	2.0	Updated OPCC Logo		17/09/2023
29/09/2023	3.0	All gifts of and hospitality of any value to be declared		17/09/2024

Purpose

The purpose of this policy is to provide guidance to the Police and Crime Commissioner (PCC) and all staff of the Office of the Police and Crime Commissioner (OPCC) in Bedfordshire, as to the acceptance of gifts, gratuities, and hospitality.

The entire office must comply with this policy, though some sections are applicable only to the following due to the increased risk associated with their role:

- Police and Crime Commissioner
- Deputy Police and Crime Commissioner
- Chief Executive and Monitoring Officer

This guidance is necessary to ensure that:

The actions of members of Bedfordshire OPCC will not give rise to, or foster suspicion that outside individuals or organisations have gained favour or advantage, by any member of Bedfordshire OPCC accepting gifts or hospitality from any such person or organisation.

No member of Bedfordshire OPCC will accept any gift or hospitality which could cause their judgement or integrity to be compromised, either in fact or by reasonable implication, and thereby damage the reputation of Bedfordshire OPCC.

Any gift or hospitality, whether accepted or declined, will be recorded in the Gift and Hospitality Registry and will be subject to audits.

This policy will apply to all staff working in the Office Police and Crime Commissioner (OPCC) whether employed full-time or part-time, fixed term, permanent, contracted, seconded or on a temporary basis.

The Gifts and Hospitality policy will be monitored by the Chief Executive to ensure full adherence to the policy at all times.

The following guidance is to be noted on instances where an exemption from any requirement to record is in order, and discretion may to an extent be exercised:

- Where there is an impromptu and unforeseen provision of light refreshments in line with staff duties.
- Where working lunches of a modest standard are offered during OPCC-related meetings, without alcoholic drinks.
- Where a discount is offered on a service or product that is available to the entire office.
- Internal Events refreshments
- Anything that is gifted

All gifts, gratuities, or hospitality accepted or declined, which do not fall within the categories as stated above will be recorded by the PCC, Deputy PCC and Chief Executive in the manner outlined below, and by all other OPCC staff as outlined below.

The following guidance applies to the PCC, Deputy PCC, and Chief Executive. An individual register for each of these positions is required to be updated and maintained by the claimant, with the latest edition to be published on the OPCC website quarterly. It is a statutory requirement that this information be available on an on-going basis.

An individual register for each member of staff working within the OPCC is required to be completed on a quarterly basis. Where possible, acceptance of gifts, gratuities or hospitality must be approved by the Chief Executive.

Should there be any doubt as to whether a gift, gratuity or hospitality should be recorded; advice should be sought from the Chief Executive or Head of Governance and Transparency.

Policy Implications

The provisions of this policy are consistent with the Bribery Act 2010. As with all legislation, OPCC regulations must be read and given effect as far as possible in a way which is compatible with the European Convention on Human Rights. In particular, Article 8 of the Convention states that there shall be no interference with a person's private life unless: -

1. It is in accordance with the law, and
2. Is necessary in a democratic society: -
 - In the interests of national security.
 - In the interests of public safety.
 - In the interests of economic well-being of the country.
 - For the prevention of disorder and crime.
 - For the protection of health and morals.
 - For the protection of the rights and freedoms of others.

Subject to proportionality it can be said on one or more grounds referred to above, that restrictions on the receipt of gifts, gratuities and hospitality are necessary to ensure that the OPCC remains effective, protects its reputation, maintains high standards of conduct and probity from its staff, and avoids any conflict of interest within their duty as a holder of office or member of staff.

The risks emanating from the acceptance of gifts, gratuities and hospitality are to both the individual's integrity and the organisation's reputation. Both of these risks will be mitigated by the adoption of this policy and adherence to its guidance.

Responsibilities

The Chief Executive is responsible for ensuring the effective implementation and operation of the arrangements. Managers will ensure that themselves and their staff operate within this policy and arrangements, and that all reasonable and practical steps are taken to avoid discrimination. Each manager will ensure that:

- All their staff are aware of the policy and the arrangements, and the reasons for the policy.
- To ensure that an individual register for each member of staff working within the OPCC is completed on a quarterly basis.