

Surrey Police Authority Gifts & Hospitality Policy & Guidance

Introduction

This policy aims to set out clearly the responsibilities of members as public office holders, and of the Secretariat of the Authority as office holders and also responsible for guidance and monitoring of when gifts and hospitality are offered and taken.

There is no clear definition of “gift” and “hospitality” but it would relate to any free gift of goods or services or the acquisition of these services and goods not available to the public, or at a discount not available to the public. This definition would also apply to the offer of food, drink, accommodation, transport, entertainment or events.

Under the Prevention of Corruption Act 1916 it states that:

It is an offence for a member of staff (*of a public body*) corruptly to accept any gift or consideration as an inducement or reward for doing, or not doing, anything in his/her official capacity, or showing favour or disfavour to any person in his/her official capacity.

The declaration of gifts & hospitality also falls under the 2007 Revised Code of Conduct for members, paragraphs 8 & 13, to which members are bound when exercising their public duties.

It is very important to be aware that the Prevention of Corruption Act 1916 assumes that any gift or hospitality made to a member or employee of a public body has been given or received corruptly (unless the contrary can be proved) and members should avoid any situation which may give rise to suspicion of being influenced by a gift or offer of hospitality. Therefore members are advised to treat any offer of a gift or hospitality with caution.

Guidance to help members decide on the right course of action and the exceptions to not being able to accept a gift or hospitality in the course of their duties are outlined in this policy.

Key Responsibilities for Members

You must register any gift or hospitality worth **over £25** that you receive in connection with your official duties as a Member of the Authority. In order to be able to demonstrate their probity, Members are advised to accept personal gifts worth £25 or more only in exceptional circumstances.

You must register any gift or hospitality **within 28 days** of receiving it with the Committee & Member Services Officer or in their absence the Monitoring Officer. A form for this purpose is available on request.

If a Member receives a series of small gifts over a twelve month period from a single individual or company that together total £25 or more, these should also be declared.

Members should be aware of their obligations under the Code of Conduct and Declarations of Interests when a gift or hospitality and its source may require them to declare a personal interest when discussing a matter in a meeting.

Types of gifts that can be accepted without Disclosure

Some types of gifts are inexpensive and are not required to be disclosed such as:

- Calendars and diaries
- Key rings
- Mugs & Coasters
- Stationery and pens
- Commemorative Books
- Mousemats
- Badges
- Ties/Scarves/Hats
- Courtesy Transport as long as it relates to official travel

The guidance does not apply to gifts and hospitality you may receive from family friends and colleagues (as long as they are not related to your role as a member), does not apply to the acceptance of facilities or hospitality provide to you by the Authority or to gifts you receive on behalf of the Authority and not to you personally. However, it does relate to any hospitality provided by or to the Force, such as ACPO dinners.

If you are unsure whether any gift or offer of hospitality needs to be delcared please contact the Committee & Member Services Officer or in her absence, the Monitoring Officer.

Key Responsibilities of the Secretariat (& Standards Committee)

Staff of the Secretariat are also responsible for the declaration of any gifts and offers of hospitality and should avoid any possible conflict of interest and where it may be thought that they have been influenced by any such gift or hospitality. Staff are expected to follow the same guidelines set out for members and declare any gift over £25 and enter it onto the Gift & Hospitality Register.

Specific Responsibilities - Committee & Member Services Officer . This person is responsible for the maintaining and monitoring of the Register and for ensuring that members are reminded on an annual basis, as part of the Related Party Disclosure exercise, to declare any outstanding receipts of gifts and hospitality or otherwise declare a nil return for that year. The Committee & Member Services Officer is responsible for the production of the Gifts & Hospitality Annual Report which is presented to the Standards Committee and subsequently to the Authority for approval and is published in the public domain.

Specific Responsibilities- Chief Executive of SPA (Monitoring Officer). The Chief Executive, who is also the Authority's Monitoring Officer, is responsible for giving of advice and ruling on the appropriateness of gifts and hospitality in the absence of the Committee & Member Services Officer or on any serious matters of concern the member may wish to raise with the Chief Executive privately as Monitoring Officer.

Acceptable Hospitality in Public Office

There are certain circumstances in which you may accept gifts and hospitality as being in the normal course of your duties as a member.

- Civic hospitality provided by another public authority
- Normal and modest refreshments provided for you at meetings, i.e tea, coffee, biscuits
- Tickets for events sponsored or promoted by the Authority
- Low value gifts as explained above such as pens, calendars, key rings etc
- Modest refreshments provided in the normal course of socialising arising from Authority business, i.e after a meeting
- Modest provision of food provided in the office or meeting place of a person with whom the Authority has a business connection

The Register of Gifts and Hospitality as a Public Document (including the production of an Annual Report)

The Register of Gifts & Hospitality is available to the public during working hours and is held in the office of Surrey Police Authority, which is a public building and accessible to all who may wish to view the register.

At the end of each financial year members are reminded of their obligation to declare any receipts in order for the Gifts & Hospitality Annual Report to be published in the public domain. It is intended that this Annual Report communicates the desire of the Police Authority to be open, transparent and accountable.

Oversight

The Standards Committee has responsibility for the monitoring and oversight of compliance with the guidance. Any allegations of failure to meet these responsibilities will be referred to the Monitoring Officer.

FAQ's

Q : What if I do not know the value of the gift or hospitality?

A: If in doubt to the value of the gift or hospitality you should register it as a matter of good practice in accordance with the principles of openness and accountability in public life. You should also register an accumulation of small gifts received from the same source that add up to £25 or more.

Q: Where can I obtain a Gift & Hospitality declaration form?

A: The Committee & Member Services Officer is able to provide you with a hard or electronic copy.

Q: What if I genuinely forget to declare within the 28 days?

A: Although members are expected to adhere to the rules governing the disclosure of Gifts & Hospitality, the Authority recognises that there are occasions where a receipt of a gift or hospitality is not registered within the 28 days. As soon as you remember please register with the Committee & Member Services Officer or discuss any concerns with the Monitoring Officer (Chief Executive)

Additional Information

Further information on Gifts & Hospitality and the Code of Conduct can be found at the following organisations

www.standardsboard.gov.uk – Standards Board for England

www.nao.org.uk – National Audit Office