

# West Midlands Police



ON TROU

## OPERATIONS - IN CONFIDENCE POLICE ORDERS

### PART I

Police Headquarters  
Lloyd House

NO.

43/2000

31 August 2000

#### 1. FORCE INCOME GENERATION AND SPONSORSHIP POLICY

This policy supercedes all previous versions. The policy has been amended to reflect force initiatives and increased devolvement of budgets to OCU 's and Departments.

All to note.

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#### 1. FORCE INCOME GENERATION AND SPONSORSHIP POLICY

- 1.1 Any enquiries in relation to this policy should be referred to Nikki Keeler, the Partnership Funding Consultant on extension 2547 Lloyd House. This policy supercedes all previous versions. The policy has been amended to reflect force initiatives and increased devolvement of budgets to OCU 's and Departments.

#### 2 Introduction

- 2.1 The power and ability of a Police Authority to generate income and receive sponsorship are provided within the Police Act 1996. The policy statement below sets out the force approach to both issues.

#### 3 Income Generation

##### 3.1 Principles

- 3.1.1 The following principles will provide the criteria to be used to evaluate any project submitted.

- 3.1.2 Only projects meeting all of the following principles will be considered.

- a) It must relate to or directly support a core function of policing.
- b) The initiative or activity must fall within the normal force principles of ethics and integrity.
- c) It must not negatively affect the operational capability of the Force, nor must it compromise the independence of the Force.
- d) It must add quality to the policing role, or enhance the image of the Force.
- e) Any income generation projects should use spare capacity.

- 3.1.3 Achieve an acceptable income as a return on the resources used - normally more than simple cost recovery.

3.1.4 Any income generated must be used to enhance local policing within the approved Policing Plan.

### **3.2 Guidelines on Income Generation Schemes**

3.2.1 The Operational independence of the Chief Constable/Force must be maintained and in no way compromised by the scheme.

3.2.2 In supplying any service to a third party, it will be a condition that operational requirements have precedence over contractual arrangements. Advice should be sought from Legal Services Department. If the income generation is through the development of a product or service, steps should be taken to protect the idea through patent or intellectual copyrights. Advice should be sought from legal services at the earliest opportunity.

3.2.3 Core policing activity should always take priority over any income generation scheme.

3.2.4 Any income generation scheme must maintain the integrity and ethics of the force, and be complementary to the policing plan and long-term policing strategies. Projects should enhance the image of the Force and/or enable a better or more in-depth service to be provided.

3.2.5 Care must be taken to ensure that the receiver of any service can be deemed suitable for association with the Force. When choosing potential partners care should be given to the sensitivity of the project and to changing public attitudes.

3.2.6 It is the responsibility of the OCU and Department Heads to ensure that appropriate checks are made with local intelligence units and if appropriate with criminal records, on companies and individuals with which services are to be supplied to.

3.2.7 Advice should be sought from the Media and Public Relations Department on any potential media interest on the scheme.

3.2.8 Care should be taken that no adverse publicity is created for the individual, the Chief Constable or the Force.

3.2.9 It is the responsibility of the OCU or Department Head to ensure that Legal Services are consulted before any contractual arrangements are agreed to.

3.2.10 All income generation initiatives should be consulted and registered with the Partnership Funding Consultant. When identifying a paying market for the project, it must be taken into account that, generally other forces should only be charged on a suitable cost recovery basis.

- 3.2.11 The level of anticipated income and expenditure for an initiative, will, in all cases, be agreed with the Finance Department prior to any contacts being signed and exchanged. From this, the anticipated net profit will be calculated and agreed.
- 3.2.12 The Finance Department will deal with all financial issues such as invoicing and VAT.
- 3.2.13 The originating OCU or Department, can, where identified, retain 100% of related net profit for an individual scheme or initiative, up to £10,000 per scheme in aggregate in any financial year.
- 3.2.14 Net profit in the range of £10,000 > £20,000 will be allocated at 50% to OCU 50% retained centrally. Beyond £20,000 proportions will be agreed for any additional income in a ratio of 25:75.
- 3.2.15 The OCU or department will be required to pay all costs incurred in researching and setting up income generation schemes.
- 3.2.16 The OCU or Department should identify the usage of any income earned within the original business case for the initiative.

### **3.3 Income procedure**

- 3.3.1 In the first instance, advice on the commercial value of a project and best practice can be gained via the Partnership Funding Consultant ext. 2547.
- 3.3.2 Projects should be researched and the potential market identified.
- 3.3.3 All potential income generation projects should be agreed and signed by OCU Superintendents or departmental heads.
- 3.3.4 OCU Superintendents and heads of departments should satisfy themselves that the proposed project is in line with the current policing plan and the longer term priorities of the Force.
- 3.3.5 All the principles in the Income Generation guidelines should be considered and satisfactorily met.
- 3.3.6 The initiative must be registered with Partnership Funding Consultant who will liaise with the Finance department, Legal Services and Media and Public Relations.
- 3.3.7 Financial checks will be put into place to ensure that the project meets its objectives and financial targets.
- 3.3.8 Project evaluations should be sent to the Partnership Funding Consultant for best practice dissemination.

## **4 Sponsorship Policy**

### **4.1 Introduction**

- 4.1.1 The Police Act 1996 Section 93, allows for a Police Authority, in connection with the discharge of any of its functions to, accept gifts of money, and gifts or loans of other property, on such terms as appear to the Authority to be appropriate.

### **4.2 Definition of Sponsorship**

- 4.2.1 Gifts, loans of property and sponsorship are defined for the purpose of this code, as the voluntary provision to the force of non-public funds, services, equipment or other resources in connection with the discharge of its policing function. Sponsorship under these terms does not include gifts or loans of property to West Midlands Police employees, in their capacity as private individuals.
- 4.2.2 West Midlands Police employees are also outside of these terms, when acting as a representative of West Midlands Police in, an association or body with a separate constitution to that of the Police Authority. It is advisable to check the constitution to ensure that individuals and the force are not compromised.

### **4.3 Police Authority Rules**

- 4.3.1 West Midlands Police Authority has delegated to the Chief Constable the discretion to accept gifts, loans of property and sponsorship within the legislation except where such gifts or loans or sponsorship exceeds the value of £50,000.
- 4.3.2 If there is a dispute as to the value of any gift or loan of property or sponsorship, the matter should be referred to the Partnership Funding Consultant who will consult the Director of Finance for advice.

### **4.4 Central Register**

- 4.4.1 The Police Authority requires the Chief Constable to maintain a record in a central register, of the market value of all gifts, or loans of property and sponsorship received.
- 4.4.2 At the end of every financial year, the Chief Constable is under duty to report to the Police Authority the nature and value of all gifts, loans of property and sponsorship received.
- 4.4.3 The total should not exceed one percent of the force annual budget. The central register of all transactions will be kept by the Partnership Funding Consultant for the Head of Community Services on behalf of the Chief Constable. The Partnership Funding Consultant will liaise with the Director of Finance to ensure this code of practice is complied with.

#### **4.5 Principles to be followed in seeking or agreeing any form of sponsorship**

- 4.5.1 Operational or statutory functions must not become dependent upon sponsorship for funding.
- 4.5.2 OCU commanders/heads of department should be satisfied that the business case presented to them will add *quality of service* or *value for money*. It must not have an adverse impact on their operational capability.
- 4.5.3 It should be evident that a fair and equitable service is offered to all regardless of any sponsorship arrangement. Any queries should be referred to the Partnership Funding Consultant on Ext. 2547
- 4.5.4 When seeking sponsorship, priority should be given to those functions or activities which support community safety and develop effective partnerships. For example, consideration should be given to how sponsorship could positively develop youth justice and drugs action teams. Consideration should also be given to the value such sponsorship could bring to the Home Office priorities, the force Policing Plan, and the longer term strategy of the force.
- 4.5.5 The Police Authority and Chief Constable require the Partnership Funding Consultant to be informed of all offers of gifts, loans of property or sponsorship **prior to any formal agreement or acceptance.**
- 4.5.6 The Partnership Funding Consultant, acting as gatekeeper, may then refer any offers to the Sponsorship Board to protect the integrity, or the best interest of, the force or any individual.
- 4.5.7 The Partnership Funding Consultant will disseminate examples of best practice to the force.

#### **4.6 The Sponsorship Board**

- 4.6.1 The Sponsorship Board shall consist of the Director of Finance, the Force Solicitor, the Head of Community Services, the Public Relations Officer and the Partnership Funding Consultant. The Board will be chaired by the ACC Community Affairs and will meet monthly or as required.
- 4.6.2 The Sponsorship Board will also act as a forum for ideas for force-wide sponsorship.
- 4.6.3 The Sponsorship Board or Head of Community Services acting on its behalf, will have the power of audit and inspection of all aspects of gifts, loans of property or sponsorship, including the recording of income and expenditure. It may retrospectively rescind any transaction which does not comply with force guidelines.
- 4.6.4 Any losses to the Police Authority may have financial implications for OCUs or departments and the local Government Act audit provisions will apply.

## **5 Financial Rules**

- 5.1 All offers of gifts, loans of property or sponsorship should be submitted to the Community Services Department, using a designated sponsorship registration form, for recording on the Central Register. This form is available on the intranet on the Community Service's page under sponsorship or from the Partnership Funding Consultant on ext. 2547.
- 5.2 All income must be paid into an approved Cost Centre. The Finance Department on ext 2194 will advise where necessary.
- 5.3 The Finance and Administration Manager for the relevant OCU or department will be responsible for the correct banking and coding of income. All income must be accounted. **No external or separate bank accounts should be used at any time.**
- 5.4 The Finance and Administration Manager for the relevant OCU or department will be responsible for ensuring that expenditure does not exceed the agreed sponsorship income level at any time.
- 5.5 VAT will be accounted for centrally in the Finance Department and the information needed to make a proper calculation will be taken from the completed sponsorship registration form. OCU 's / departments will be charged by the Finance Department for VAT payments.
- 5.6 The Director of Finance will ensure all taxation laws regarding the acceptance of Gifts, loans of property or sponsorship are complied with and will arrange proper accounting systems with Customs and Excise.
- 5.7 Sponsorship which is force-wide or covers more than one OCU or department will be held by Community Services in a separate Cost Centre. The Sponsorship Board will determine how such arrangements will affect the force and OCU 's /Departments.
- 5.8 Any sponsorship should be spent according to the agreement with the sponsor. Should any arrangement not be directed at a specific project, all funding or goods will be used at the discretion of the Sponsorship Board. Where sponsorship is provided by means of goods or equipment, the Finance and Administration Manager must maintain a suitable record of its usage and location.
- 5.9 Gifts, loans of property or sponsorship for force-wide use will need to be approved by the Sponsorship Board, and if appropriate by the Police Authority. No expenditure against force-wide sponsorship will be made without the approval of ACC Community Affairs.

## **6 Test of Significance**

- 6.1 OCU Commanders/Heads of Department should seriously consider the implications of being associated with any company or individual offering gifts, loans of property or sponsorship. They should also be mindful of any potential political implications. Any prospective donor, individual or company should be checked with local intelligence units and if appropriate with Criminal Records.
- 6.2 Care should be taken not to infer preferential treatment or loss of contract when dealing with companies already in, or likely to be in, contractual arrangements with the force.
- 6.3 Consideration should be given to changing public attitudes and the sponsoring of sensitive projects by inappropriate companies. *See the practical guide to obtaining sponsorship for examples.* Advice can be sought from the Partnership Funding Consultant Ext. 2547
- 6.4 Verbal contractual agreements should be confirmed in writing to protect the individual and the force. It is the responsibility of the OCU commander/Head of Department to ensure agreements are in place and adhered to. Advice on contracts and agreements can be sought from the Partnership Funding Consultant who will liaise with Legal Services.
- 6.5 When considering offers of equipment or vehicles consideration should be given to the current force vehicle and IT strategy.

## **7 Acknowledgements**

- 7.1 The use of a company logo alongside the force crest, and any acknowledgement of any gift, loan of property or sponsorship, should comply with corporate guidelines. Advice can be sought from the Press & Public Relations Department on ext. 2567.

## **8 Special Police Services**

- 8.1 Any arrangement, which falls within Section 25 of the 1996 Police Act, namely the provision of special policing services does not apply under the policy for gifts, loans of property and sponsorship.

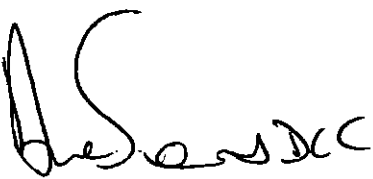
## **9 Income Generation**

- 9.1 The force has a separate policy for income generation. The policy is held by the Partnership Funding Consultant.



**10 Practical Help**

- 10.1 A booklet called 'A practical Guide to Sponsorship' is available on the intranet, Community Services page or from the Partnership Funding Consultant on ext. 2547.

*for*   
CHIEF CONSTABLE