

SPONSORSHIP POLICY P-23

1 INTRODUCTION

- 1.1 Section 93 of the Police Act 1996, 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. Sponsorship and only sponsorship is subject to a one per cent limit of a Force's total annual budget. Sponsorship should not be used to support core policing functions.

2 DEFINITION OF SPONSORSHIP

- 2.1 Gifts and loans of 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.
- 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.

3 POLICE AUTHORITY RULES

- 3.1 West Midlands Police Authority has delegated to the Chief Constable the discretion to accept gifts and loans of sponsorship within the legislation. When the gift is valued at over £50,000, prior approval must be sought from the Police Authority.
- 3.2 If there is a dispute as to the value of any gift or loan of sponsorship, the matter should be referred to the Partnership Funding Department who will consult the Director of Finance.
- 3.3 The Police Authority requires the Chief Constable to maintain a record in a central register, of the market value of all gifts and loans received in sponsorship. This database will be maintained by the Partnership Funding Department on behalf of the Chief Constable and will be used to disseminate best practice via the Force Intranet.
- 3.4 At the end of every financial year, the Chief Constable has a duty to report to the Police Authority all sponsorship received.

4 PRINCIPLES OF SPONSORSHIP

- 4.1 The Police Authority and Chief Constable require the Partnership Funding Department be kept informed of all offers of gifts and loans of sponsorship prior to any formal agreement or acceptance.
- 4.2 OCU Commanders/Heads of Department should be satisfied that the business case presented to them would add quality of service or value for money. It must not have an adverse impact on their operational capability. Priority should be given to those functions or activities, which support

community safety and develop effective partnerships, taking into consideration Home Office priorities, the Force Policing Plan and the longer-term strategy of the Force.

4.3 Levels of authority for the approval of sponsorship are as follows:

- Up to £1,000 - Inspector or above
- £1,000 to £50,000 - OCU Commander/Head of Dept
Ops Superintendent/DCI
- £50,000 and above - Police Authority

N.B. Only OCU Commanders/Heads of Departments may approve vehicle sponsorship.

5 THE SPONSORSHIP BOARD

5.1 The Sponsorship Board shall consist of the Director of Finance, the Force Solicitor, the Head of Community Safety Bureau, the Public Relations Officer and the Partnership Funding Officers. The Board will be chaired by the Director of Finance and will meet quarterly or as required.

5.2 The Sponsorship Board will also act as a forum for ideas for Force-wide sponsorship.

5.3 The Sponsorship Board or Director of Finance acting on its behalf will have the power of audit and inspection of all aspects of gifts and loans of sponsorship, including the recording of income and expenditure. It may retrospectively rescind any transaction, which does not comply with Force guidelines.

5.4 Any losses to the Police Authority may have financial implications for OCUs or departments and the Local Government Act audit provisions will apply.

6 FINANCIAL RULES

6.1 All offers of gifts and loans of sponsorship should be submitted to the Partnership Funding Department, using the designated sponsorship registration form, for recording on the Central Database. This form is available on the Intranet on the Force CSB website.

6.2 All cash sponsorship must be paid into an approved Cost Centre. The Finance Department on ext 2194 will advise where necessary.

6.3 The Business Manager for the relevant OCU or department will be responsible for the correct banking and coding of income. All income must be accounted for. No external or separate bank accounts should be used at any time.

6.4 The Business 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.

- 6.5 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.
- 6.6 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 Director of Finance. Where sponsorship is provided by means of goods or equipment, the Business Manager must maintain a suitable record of its usage and location.
- 6.7 Gifts and loans of sponsorship for Force-wide use will need to be approved by the Director of Finance and if appropriate by the Police Authority. This will be held by the Partnership Funding Department in a separate cost centre. No expenditure against Force-wide sponsorship will be made without the approval of the Director of Finance.

7 TEST OF SIGNIFICANCE

- 7.1 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/Fraud Dept.
- 7.2 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. (See the practical guide to obtaining sponsorship for examples).
- 7.3 Sponsorship must not involve, or be used to infer, any warranty or guarantee by West Midlands Police of a sponsor's product or reputation.
- 7.4 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 Department who will liaise with Legal Services.
- 7.5 When considering offers of equipment or vehicles, consideration should be given to the current Force vehicle and IT strategies.

8 VEHICLES

- 8.1 The donation or loan of a vehicle, motorcycle or pedal cycle is a popular area of sponsorship Force-wide. However, OCUs/Departments must ensure the responsibilities involved in the agreement are understood.
- 8.2 Sponsored vehicles should not be used to support core-policing functions and must not be used for operational purposes. Requests for sponsored vehicles should be supported by an appropriate business case. (Refer to business case proforma on sponsorship web site.) The Force Transport Department will assess suitability of sponsored vehicles. OCUs/Departments must be mindful of the specification of sponsored vehicles and their use by suitably qualified personnel. An application may

be rejected if the appropriate criteria are not met when the Transport Department assesses vehicles.

- 8.3 Running costs and maintenance must be identified i.e. met by the sponsor or provided within the Force budget. The appropriate cost centre code must be entered on the WA61 after consultation with the appropriate Business Manager. This is to ensure that maintenance and insurance charges will be met and allocated to the correct budget head.
- 8.4 The Partnership Funding Department will be responsible for notifying the Fleet Manager of any new vehicles.
- 8.5 The Force Transport Department will not insure any sponsored vehicles without prior notification from the Partnership Funding Department. The Force Transport Department should be contacted to arrange inspection of vehicles at a pre-determined date, as they will then ensure the provision of insurance cover from the sponsor's base to the nominated garage.
- 8.6 Contractual agreements of three to eleven months may be approved by OCU Commanders/Departmental Heads. Any sponsorship agreements, which extend to twelve months or beyond, may only be approved by Chief Officer Group.
- 8.7 All vehicles must be inspected by the Transport Department before use. Any vehicle over three years old must be accompanied by a valid MOT certificate when taken for inspection.

9 EXTERNALLY FUNDED VEHICLES

- 9.1 The purchase of vehicles by means of external funding will be co-ordinated by the Fleet Manager. No attempt should be made to approach companies directly.
- 9.2 Before any vehicle is considered a suitable business case to support the need for an additional vehicle must be submitted to the Deputy Chief Constable via the Partnership Funding Department. This will include the ability to meet all running costs, fuel and maintenance for the period of the vehicle's life. It should also include any training issues and police equipment requirements. It must be clearly established whether the vehicle is to be owned by West Midlands Police.
- 9.3 All externally funded vehicles will attract a standard maintenance charge commensurate with usage, calculated by the Force Transport Department and this should be incorporated into any bidding structure.
- 9.4 Externally funded vehicles will not automatically be replaced at the end of their life. The OCU/Department will have to secure further funding or return the vehicle to the originator or Transport Department for disposal.
- 9.5 Fund providers should be advised that at the end of the life expectancy of any vehicle (as determined by the Transport Department) said proceeds from sales may either
 - (i) be returned to the original funder
 - (ii) be credited to the appropriate OCU/Department's budget.

Every effort should be made in the first instance to establish which of the above is agreeable in order to satisfy audit requirements.

- 9.6 All such vehicles will be subject to the same driver category restrictions as any other police vehicles.

10 ACKNOWLEDGEMENTS

- 10.1 The use of a company logo alongside the Force crest, or arms of the Authority and any acknowledgement of any gift and loan of sponsorship, should comply with corporate guidelines, as laid down in the Press and Public Relations Department web site.

- 10.2 Permission for the use of the Force crest or arms of the Authority in any advertising campaign must be sought from the Press and Public Relations Department, on every occasion. Advice can be sought from the Press and Public Relations Department on extension 2567.

12 November 2003