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**Association of Chief Police Officers of England,  
Wales & Northern Ireland**

# A Guide to Income Generation for the Police Service in England, Wales and Northern Ireland

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# Section 1 – Preface

1.1 The National Guide to Income Generation for the Police Service in England, Wales and Northern Ireland was first published in 2004 and has been revised annually. The Guide is endorsed by the Police Panel of the Chartered Institute of Public Finance and Accountancy (CIPFA), being in line with its remit to promote best practice, standards and guidelines.

1.2 Income generation can help forces counter the effects of declining budgets and increasing pressure on resources. The Guide was written by members of the Police Forum for Income Generation (PolFIG), all income generation professionals from police forces across the UK. It provides straight-forward and practical advice for use by everyone involved in income generation, drawing extensively on the broad experience and success of PolFIG's members. It is fully endorsed by ACPO.

1.3 PolFIG depends on the enthusiasm and commitment of its members. It is principally a professional networking and support organisation, the success of which is demonstrated by the production and maintenance of the guide. PolFIG members meet regularly, both regionally and nationally, to share ideas, discuss new initiatives and provide mutual support.

1.4 PolFIG's current priorities include the further development of regional working and project collaboration and a more active lobbying role to influence central government regarding income generation related issues. In addition, its members will be working to support the ever-changing nature of policing and contributing individually and collectively to the delivery of the best possible service to the public.

1.5 PolFIG hosts a website containing information about Police Income Generation at [www.polfig.com](http://www.polfig.com)

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## Section 2 – Introduction to the Guide

2.1 The Guide to Income Generation provides an overview of the different types of income generation activity that police forces can choose to engage in. These are categorised as:

- Bids and Grants
- Sponsorship (or Commercial Partnerships)
- Charitable Trusts
- Charging for Services, Supplies and Products
- Special Police Services

2.2 Although it can be printed and used as a handbook or introduction to income generation, the Guide is intended to be a reference manual. For this reason, and to simplify the process of keeping it up to date, the Guide is only published in electronic format.

2.3 The Guide also provides an overview of legislation which impacts on income generation. Forces should ensure that proper controls are in place to manage income generation and best practice highlights that a central point of contact, an Income Generation Board or Strategy Group, and a clear and comprehensive policy, are key to implementing those controls. Involvement of legal services within the development of strategy and policy is equally important.

2.4 The Guide includes advice on project management. Often overlooked in the early stages of a project and during funding acquisition, project management is key to ensuring that initiatives are as effective as possible and that funding is managed properly. Individuals involved in income generation should endeavour to include solid project management foundations when developing proposals for funding.

2.5 The following chapters explore the opportunities, risks and processes involved in each specific area of income generation. PolFIG hopes that they will prove useful to all forces, whether starting out in income generation or reviewing their approach.

## Section 3 – Bids and Grants

### 3.1 Overview

3.1.1 Bidding for external funding is a valuable way of augmenting police budgets to solve specific issues or to take forward an innovative new approach to a problem. Whilst the process can be time-consuming, the potential financial gains from bids and grants can be significant.

3.1.2 Unlike sponsorship, which is subject to Government ‘capping’ (currently 1% of gross Force budget), income from Bids and Grants is not limited and, if managed ethically and effectively, presents few pitfalls.

### 3.2 Identification of Need

3.2.1 It is good practice for funding to follow a clearly defined need, rather than have funding availability dictating action. (The differences between these proactive and reactive routes to funding are shown in more detail on page 15.) Projects often involve hidden costs such as meetings, supervision of project staff and provision of office accommodation. In order to justify these costs, projects should always address key organisational priorities.

3.2.2 Once causes have been identified, solutions can be considered and there will usually be a case for considering, and perhaps combining, both short and long-term solutions.

### 3.3 Links to Strategies and Plans

A successful bid will normally support clear priorities. These priorities emanate from a variety of different levels.

#### 3.3.1 National Context

3.3.1.1 Priorities for police and multi-agency activity to reduce crime and the fear of crime are identified by the Home Office and communicated to police forces, police authorities and Community Safety Partnerships (CSPs) via:

- The National Policing Plan
- Ministerial priorities
- Government’s Crime Reduction Strategy
- Best Value Performance Indicators
- Public Service Agreement (PSA) targets

#### 3.3.2 Regional Context

3.3.2.1 Regional Development Agencies have economic regeneration strategies. Crime and Community Safety are usually covered under sections such as ‘Climate for Investment’.

3.3.2.2 Each geographical region of the United Kingdom has a Crime Reduction Team within the Regional Government Office headed by a Regional Director. Each county or metropolitan area has a liaison officer. Regular contact with these officers is vital for identifying sources of funding, keeping up to date with new and future priorities and obtaining regional support for national bids.

#### 3.3.3 Force Context

3.3.3.1 At Force level, national and regional strategies and the results of local consultation and intelligence are translated into:

- Local policing plans
- Force level and BCU three year strategies
- Force-wide community safety strategies
- National Intelligence Model Strategic Assessments

### **3.3.4 Local Context**

3.3.4.1 At a county level, local authorities will have a countywide Community Safety Strategy within a Local Area Agreement.

3.3.4.2 The Crime and Disorder Act 1998 requires District and Borough Councils to undertake a local audit of crime and disorder, consulting with the local community on the findings. The audit is used to identify key priorities that form the basis of three-year local crime and disorder strategies.

3.3.4.3 More recently, Local Strategic Partnerships (LSPs), also at a district level, have set up mechanisms to consult with the local community and draw up strategic plans to tackle local priorities to deliver an improvement agenda. Many LSPs have identified crime and disorder as a key theme for their strategies.

3.3.4.4 At a micro community level, action plans may be developed around:

- A local housing estate
- A single village (through parish planning process)
- A community (e.g. people from particular minority groups)
- A police beat or neighbourhood
- A business community (which may be a potential source of match-funding for any subsequent bids)

## **3.4 The Need for Partnerships**

3.4.1 Partnerships are increasingly important to grant funding; from the earliest conception of the project idea to delivery and evaluation of the project. Sharing information with local authority funding officers and advisors, can be beneficial to both parties in terms of highlighting funding opportunities or developing a basis for a future project partnership.

### **3.4.2 Why Partnerships are Necessary**

3.4.2.1 Funders require it - many funding streams require bids to be made in partnership, whilst others strongly recommend it, because funders frequently receive either:

- duplicate bids from different organisations;
- bids which would be impossible to implement without the involvement and agreement of other organisations;
- bids that could have a much greater impact utilising a partnership approach.

3.4.2.2 Projects scope may be improved - different partners can provide a fresh perspective and new ideas, which can help projects to take a holistic approach to solving problems or meeting needs. Partners may be able to provide additional capacity or match-funding.

3.4.2.3 Opportunities for consultation – most bids will require initial community consultation and some form of community involvement in delivery. Partnership working can increase opportunities for community engagement and make it easier and more effective to organise.

3.4.2.4 Accessing different sources of funding - most statutory agencies have specific funding streams from relevant government departments. Voluntary organisations are able to apply to a far wider range of charitable trusts.

3.4.2.5 Helping to identify exit strategies - if more partners are involved in a project, there will be an increase in the number of groups and individuals with an interest in sustaining, and possibly mainstreaming, a successful project.

### **3.4.3 Partnership Structures**

Partnerships can be formed in many different ways, from informal project groups to statutory partnerships. Some key considerations when establishing or joining a partnership for bidding purposes are:

3.4.3.1 **Clear accountability and responsibility** - one organisation will normally be the lead bidder and will be accountable for the funding. They must be given sufficient authority to enable them to meet their responsibilities. This should be discussed and recorded when deciding on the format of the bid.



**3.4.3.2 Size** - keep partnerships to a manageable size. Large groups may not be efficient enough to meet what are usually very tight deadlines for funded projects. One solution is to have a small executive group and a larger stakeholder or consultation group.

**3.4.3.3 Roles** - agree personnel and their roles – check that representatives have sufficient authority within their own organisation to execute their role.

**3.4.3.4 Communication** – whenever possible set up the full programme of meetings at the very beginning of the project. Decide on the format and frequency of communication to interested parties, for the duration of the project.

**3.4.3.5 Agreements and Contracts** - Partnerships tend to function more effectively, when subject to a written agreement. The style of the agreement will vary according to the size and scope of the partnership, but could be based upon:

- A letter
- Terms of Reference
- Meeting minutes
- Service Level Agreement
- Contract
- Content of the funding bid

3.4.3.5.1 Regardless of the style, the purpose of the agreement is to:

- Prevent disagreements and conflict arising by ensuring that all partners are clear about their roles, responsibilities and commitments at the start of the project;
- Act as a point of reference for resolving differences during the project.

3.4.3.5.2 Each Force will have different procedures for making agreements and may have standard forms/wordings. These should be adhered to, however, any agreement should include:

- Details and signatures of the partners (signatory should have authority to commit organisation).
- Aims of the partnership
- Roles, responsibilities and commitments of partners
- Financial arrangements
- Details of meetings and decision making process – e.g. voting procedures
- Protocol for sharing and disseminating information

## 3.5 Types of Funding

3.5.1 This section provides an outline of the different sources of funding which police forces may be able to tap into. However it is important to realise that funding streams are continually changing and evolving and it is vital that funding professionals continually update their knowledge base.

### 3.5.2 European Funding – can be divided into two distinct types:

**3.5.2.1 Community Funds** are accessed by bidding directly to the European Community and are available for trans-national projects with a European context (e.g. provisions that can be disseminated and adapted across Europe or create trans-national impact). Projects are often research orientated, facilitate networking or create innovative pilot projects. Funds open to application from Forces are grouped under the banners of “Security and Safeguarding Liberties”, “Fundamental rights and Justice” and “Solidarity and Management of Migration Flows”<sup>1</sup>.

#### 3.5.2.1.1 Keys to success with European Community Funds:

- Bids should be carefully planned. Do not ‘cobble together’ at the last minute - they require European partners and match funding.
- Look for partners who speak English fluently or plan for the use of translation services, right from the start.
- Ensure that your project fits the criteria – the European Commission will follow it ‘to the letter’.
- Ask yourself the question “How would this project benefit Europe as a whole?” If you can’t give an answer don’t put in a bid!

**3.5.2.2 Structural Funds** are administered within the United Kingdom by the Regional Government Offices. There are a number of different funds including the *European Regional Development Fund (ERDF)* which is run by the Department for Communities and Local Government (DCLG) and aims to stimulate economic growth by participating in the development and structural adjustment of regions. ERDF also supports *INTERREG* (concerned with

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<sup>1</sup> [http://ec.europa.eu/justice\\_home/funding/intro/funding\\_intro\\_en.htm](http://ec.europa.eu/justice_home/funding/intro/funding_intro_en.htm)

international co-operative projects) and *URBAN* (concerned with urban regeneration). Another fund is the *European Social Fund (ESF)* which can be accessed through local Co-Financing Organisations (CFOs). ESF seeks to promote regional economic growth by improving training and employment opportunities. It also finances *EQUAL* a programme that funds activities to combat all forms of discrimination and inequalities in the labour market.

#### **3.5.2.2.1 Keys to success with the European Social Fund:**

- There are often a number of different organisations which have Co-Financing Organisation status. Carefully read each organisation's prospectus to work out where projects fit and which represents the best partnership material. Some counties have Local Management Groups (LMG) which give advice and directional pointers. They are usually accessed via Europe Officers within local authorities.
- Think creatively – Bedfordshire Police received assistance of up to £200,000 from a local CFO to develop a Special Constabulary Recruitment Project by focusing on community benefits or marginalised groups prioritised by ESF. This was the first known example of a police service gaining funding through ESF and was successful because the organisation looked at a completely different way of meeting the police need; in a manner which contributed to wider social and economic regeneration priorities.

### **3.5.3 Government Grants**

3.5.3.1 A range of grants is available through central government departments. Usually advertised through government web sites and press releases, they are also communicated to police forces via letters to the Chief Constable and/or Police Authority chairperson. Funding rounds may be either an ad/hoc or regular event (e.g. *Invest to Save*, a HM Treasury controlled annual initiative).

3.5.3.2 Funding opportunities are usually influenced by the Spending Review and are in-line with relevant government department priorities. Grants may also be influenced by key events and media attention (e.g. a major firearms incident or negative publicity about the rise in street crime might lead to the provision of extra opportunities or alter the criteria of prearranged bidding rounds.)

3.5.3.3 Increasingly government departments are allocating sums of money to Forces for particular purposes and then request a business case for expenditure, as opposed to providing a competitive bidding opportunity.

### **3.5.4 Regionally Allocated Funding**

3.5.4.1 Increasingly, funding is being distributed to Community Safety Partnership (CSPs) to fund crime reduction and community safety initiatives. Currently money is available through the Safer and Stronger Communities Fund and supplemented by the Basic Command Unit Fund which is distributed directly to Police Basic Command Units (BCUs).

3.5.4.2 Forces should ensure that they are in a position to negotiate a proportion of Pump-Priming Grant and/or Reward Element Grant available through the development of Local Area Agreements.

### **3.5.5 Area Based Initiatives**

3.5.5.1 The Government often targets areas with specific problems and allocates money to address specific issues. Certain grants are only available to Forces in particular geographic areas or which meet certain criteria in relation to crime rates, deprivation, industrial demise, inner city regeneration etc.

3.5.5.2 Sometimes Area Based Initiatives are based within the 88 most deprived council areas. Details of these areas can be obtained using the Indices of Local Deprivation<sup>2</sup> or by referring to the individual funding schemes.

3.5.5.3 Statistics can be interpreted in different ways and tools like the Indices of Local Deprivation may be used differently by different funding programmes to identify areas they regard as being the most deprived.

3.5.5.4 Previous examples of Area Based Initiatives include:

- Health Action Zones
- Community Chests
- Neighbourhood Renewal Fund

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<sup>2</sup> You may wish to refer to the National Statistics website ([www.statistics.gov.uk](http://www.statistics.gov.uk)) or to the Department for Communities and Local Government ([www.communities.gov.uk](http://www.communities.gov.uk)) for more information.

- Sure Start
- The Children's Fund
- Supporting People
- Home Office Street Crime Initiative

These types of initiatives are always subject to change and it is worth checking for updated information.

### **3.5.6 Trusts and Foundations**

3.5.6.1 There are many grant-making charitable trusts and foundations. Although not all make grants to the police service, it is worthwhile acquiring knowledge of this type of funding. Baring Asset Management publishes an annual guide to grant giving trusts and foundations called "Top 3000 Charities" which can assist with research into this area. It is also worth browsing the internet or contacting your local Council for Voluntary Services (CVS) for news.

3.5.6.2 The National Lottery is probably the largest example of charitable grant funding. (See [www.biglotteryfund.org.uk](http://www.biglotteryfund.org.uk)). Changes within the Lottery have now allowed for direct applications from the police service.

#### **3.5.6.3 Lottery Case Study:**

3.5.6.3.1 The Worcestershire based charity, Youth Support Services (YSS), working in partnership with West Mercia Constabulary, successfully secured £150,000 of Lottery funding over three years through the 'Positive Activities for Young People Programme'.

3.5.6.3.2 The Accessing Resources in the Community (ARC) project is targeted at young people aged 10-17 years in Worcestershire and Herefordshire who have offended or are at risk of offending. Volunteers support and assist young people in accessing resources in their local community, including clubs, sports and support agencies. Young people are encouraged to develop action plans, highlighting goals and addressing any barriers to achieving them.

#### **3.5.6.4 Keys to Success with Trusts and Foundations:**

- Develop partners within the voluntary sector (community groups and registered charities) which share common goals or may be interested in participating on a specific project. They may be able to access grants that police forces cannot and while the money will not go into police budgets, it will still support work within the community.
- Some Forces have set up their own charitable trusts, which can access these sources of funding – try to tie in with these where possible.
- Each trust will have different priorities and criteria. Some ask for a proposal, others have application forms. Do not be tempted to mail the same standard proposal to a number of different trusts – this approach will not work!
- Allow plenty of time for applications to be processed – it may take 3 to 6 months for a decision to be made.
- Conduct research – it is worth knowing how much each trust has available and how many grants it averages each year in order to estimate likely success.
- Try to identify Trusts for which an approach has a higher likelihood of success.
- Make sure your project meets all the criteria, find out what sort of project it has funded in the past and (if possible) speak to the funder to discuss your ideas.
- Be persistent – each trust is approached by many applications and it is highly likely that a large number will fail.

### **3.5.7 Quangos or Non Departmental Public Bodies (NDPBs)**

3.5.7.1 A Quango or NDPB is not part of a government department but carries out its function, to a greater or lesser extent, at arms length from central government. It is financed and members are appointed by central government. Examples include the Learning and Skills Council, the Youth Justice Board and The Countryside Agency. Some of these organisations occasionally run grant programmes or can point you in the direction of different funding sources. Most have their own web sites on which details are published.

## **3.6 Finding available grants**

3.6.1 There are many ways to find out about funding opportunities. The chart below shows some different methods, but these are not exhaustive, nor are they all financially equitable. Practitioners may wish to ask for free trials of ‘subscription only’ sites or funding packages to compare costs and the frequency and timeliness of updates. The key is not to concentrate solely on one method - a good research strategy would include methods from each of the four boxes:

Networking	Publications	Strategies	Technology
<ul style="list-style-type: none"> <li>• PolFIG (regional and national groups)</li> <li>• Conferences</li> <li>• Local/ regional funding groups</li> <li>• Specialist groups (ESF, Regeneration, CSPs)</li> <li>• Local contacts (statutory and voluntary organisations)</li> </ul>	<ul style="list-style-type: none"> <li>• Police magazines</li> <li>• Regeneration magazines (e.g. <i>New Start, Regeneration</i>)</li> <li>• Organisational newsletters (e.g. Council for Race Equality, Youth Justice Board, local Council for Voluntary Services)</li> <li>• Notification of funding letters from central government to Chief Constables</li> </ul>	<ul style="list-style-type: none"> <li>• National Policing Plan</li> <li>• Crime Reduction Strategy</li> <li>• Neighbourhood Renewal Strategy</li> <li>• Specialised national strategies (Alcohol Strategy, Youth Justice Plan, Community Cohesion Plan)</li> <li>• Regional Spatial Strategies</li> <li>• Local Policing Plan</li> <li>• Force/ CSP Community Safety Strategies</li> </ul>	<ul style="list-style-type: none"> <li>• Government department web sites (including Home Office)</li> <li>• Funding packages and subscription sites such as <i>Grantfinder, Grants Online, j4b etc.</i></li> <li>• Email updates (e.g. <a href="http://www.info4local.gov.uk">www.info4local.gov.uk</a> <a href="http://www.wired-gov.net">www.wired-gov.net</a>)</li> <li>• Government department press releases</li> </ul>

### 3.7 Responding to changes in the funding environment

3.7.1 The funding environment is constantly changing and police forces should think about how to use the knowledge, skills and experience they have developed to get the best from new funding arrangements. An example of this is the way that government funding for crime reduction and community safety issues has moved away from competitive bidding towards allocation through Regional Government Offices. Even though an external funding application is not required, many of the processes used to produce a good application are still needed. These include:

- determining the need;
- developing a realistic, deliverable project;
- preparing a budget;
- linking the project with local strategies;
- working with partners to develop a multi agency approach.

3.7.2 If a Force employs specialist staff to develop funding applications it should consider involving them in these areas of work, as there is considerable overlap in the skills and knowledge required. There is also an opportunity to involve them in other areas of the business to provide a consistent strategic approach to the wider income generation field e.g. finance and resources coming into the Force through the Proceeds of Crime Act.

### 3.8 Bid Writing

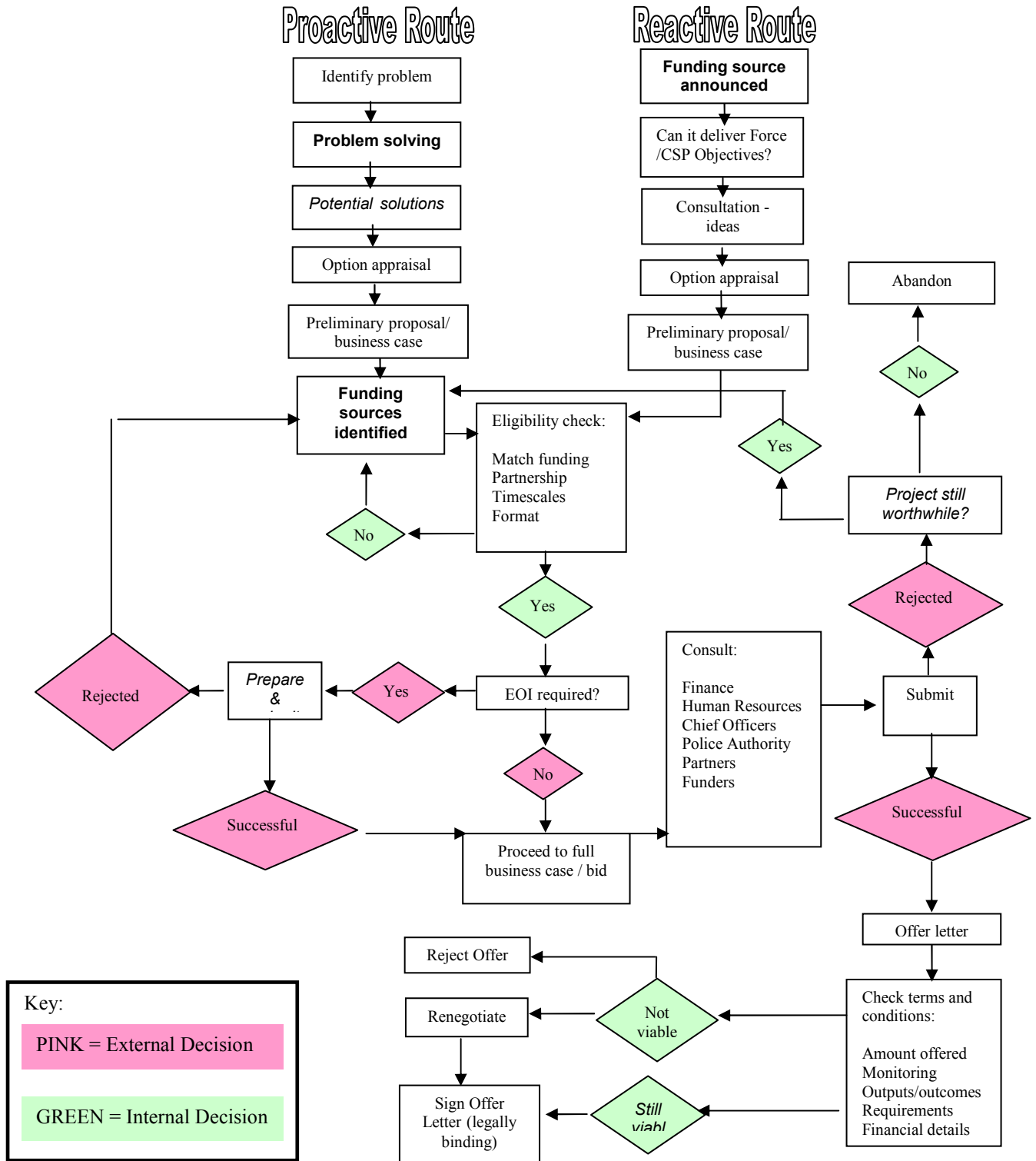
3.8.1 The nature of the bidding environment and the fluid nature of politics and the economy, means that writing bids is often a reactive process, responding to ad/hoc and unexpected opportunities. However this is not the ideal process and there are measures that can be taken to ensure that the majority of bidding is undertaken in a proactive way.

3.8.2 Business cases for projects should be developed as ideas emerge and projects kept on file ready for a funding opportunity to arise.

3.8.3 Financial data and statistics should also be collated systematically ready for use when a bidding opportunity arises.

3.8.4 The flow chart overleaf maps out the key stages in the bid writing process from need identification to accepting the terms of a successful bid. It should be noted that this process often has to be completed within very tight timescales, making certain stages more difficult.

3.8.5 Consultation with internal departments cannot always be completed prior to submitting an application; however, it must be completed before the Conditions of Grant are signed, as this is a legally binding document. All external organisations mentioned in the bid must be notified prior to submission and if they are expected to make a material contribution to the project a letter confirming this should accompany the application.



### **3.9 Funder's Bid Criteria**

3.9.1 Funding bodies usually have established criteria to use as a basis for scoring and appraising bids. Criteria may be very loose; allowing appraisers to utilise their professional judgement more freely as to whether the bid is sound and the project offers significant benefits. For other grants criteria can be extremely rigid and subject to formal stages of eligibility checking, dual scoring, dual appraisal and formal approval which can lead to innovative ideas and high risk/high return projects being unsuccessful.

3.9.2 When writing a bid always:

- Carefully read bidding guidance for an indication of priorities or the type of project likely to be successful.
- Ask if there is scoring / appraisal framework available.
- Find out if there is an opportunity to talk through project ideas with the funding body and if there is talk to them about your ideas.
- Try to get hold of past bids that have been successful and the associated bid criteria to analyse how the bid addressed bidding requirements and gain an understanding of what the funder is looking for.
- Ensure your project fits the criteria fully and provide clear evidence to demonstrate this.

3.9.3 Each bidding opportunity must be considered and responded to individually however most successful bids will usually provide evidence of the following:

- Contribution to relevant strategies/priorities
- Demonstration that the project is achievable
- Clear objectives, targets, outputs and outcomes
- Substantial evidence of need
- Risk management processes
- Detailed and realistic budget
- Value for money
- Project management provision

### **3.10 Finance**

#### ***3.10.1 General Guidelines***

3.10.1.1 When the police force acts as lead agency on a bid it must be accountable for expenditure and making claims from the relevant funding body. In other cases, as part of a formal partnership led by a different agency, reimbursement will be reclaimed from the partner.

3.10.1.2 In both cases the police force will be responsible for accounting for its share of expenditure in accordance with the CIPFA Best Value Accounting - Code of Practice and must show that it has achieved best value in terms of the utilisation of the resources. Proper accounting arrangements will need to be in place to ensure that supporting documentation can be provided that will satisfy partners and stand up to audit scrutiny. The CIPFA document Sterling Work provides excellent advice on partnerships and the essential need for in-house financial and legal systems to comply with appropriate regulatory frameworks and codes of practice.

3.10.1.3 If a police force is to be responsible for the payment of funding to other organisations which provide services or deliver projects as part of a programme, there may be state aid implications if the Force awards grants or procurement implications, if the awarding of contracts is involved. Force procurement departments should always be consulted in the first instance.

#### ***3.10.2 Conditions of Grant***

3.10.2.1 Conditions of grant vary depending on which body is responsible for issuing the grant. Care should be taken to ensure that any conditions stipulated are met in full. In particular they will specify:

- How the money is to be used
- How reimbursement will be made for expenditure incurred
- The final date by which claims should be submitted
- Proper financial records and controls should exist
- Audit requirements in terms of annual reports
- Issues relating to the purchase of capital assets
- Treatment of VAT

3.10.2.2 There is a requirement for your organisation to confirm that it accepts the terms and conditions by signing a copy of the document and returning it to the funding authority responsible for issuing the grant.

3.10.2.3 If at any stage of the project, an alternative method of achieving the same outcomes is identified, and which would involve the use of approved funds differently from that agreed by the funder, the funder should be consulted before any decision is taken to vary the agreed terms and conditions of the grant.

### **3.10.3 Accounting for Capital Expenditure**

3.10.3.1 Expenditure should be capitalized in accordance with the CIPFA/LASAAC Code of Practice on Local Authority Accounting in the UK (the Statement of Recommended Practice). It is standard practice to have a 'de minimis' threshold below which items are not capitalized, but are instead charged directly to revenue. In addition, it should be noted that some other items may be capitalized in accordance with legislation (regulation to that effect, or by Secretary of State determination).

3.10.3.2 Funding programmes may specify capital thresholds different to those used by police forces / police authorities, so the Conditions of Grant should be carefully scrutinised.

### **3.10.4 Accounting for Expenditure**

3.10.4.1 Irrespective of the type of grant, a complete record of income and expenditure should be maintained by the lead agency. Other organizations in a partnership are advised to maintain a record of the broad outlines of a grant and the outputs which it funds. The following points should be considered:

- A cost centre for the partnership should be set up to record the partnership income and expenditure.
- A separate folder should be kept for each partnership project to ensure that all documentation relating to expenditure, and claims for reimbursement of expenditure, is available for audit purposes. It will also be needed to support any claim for grant reimbursement from the relevant grant authority.
- There is a statutory requirement to retain financial records for 6 years plus the current financial year (if not every piece of paper, for practical storage reasons, then sufficient records to enable a robust handling of any claim made within the statutory period). Other key documentation relating to the partnership initiative will also need to be kept for six years, unless a shorter (or longer) period is specified under the terms of the grant.
- It is important to ensure that all the expenditure incurred and income due for the year is included in partnership project accounts. This will require an accrual to be done at year end for:
  - Any expenditure incurred for the year when a suppliers invoice has not been passed to Finance for payment
  - Any income due as at 31st March for which an invoice has not been raised.

3.10.4.2 You will also need to carry forward any income received in advance, for which no expenditure has been incurred. For further advice on this you should contact the Force's finance department.

3.10.4.3 It is necessary to check the terms and conditions of the grant award to ascertain audit requirements.

### **3.10.5 Receiving Grant Income**

3.10.5.1 The frequency of claim will depend on the particular grant conditions. The provision of reports at the close of each financial year for all grants is a specific requirement and they should be available for scrutiny by external Auditors.

3.10.5.2 When grant payments are paid in advance this process is still required, plus additional supporting documentation, to justify expenditure against the advance provided.

3.10.5.3 Keys to success in grant procurement:

- Maintain a summary sheet showing what expenditure has been incurred.
- Retain copies of invoices, overtime printouts and, if possible, reports from the general ledger showing the expenditure against the relevant cost centre.
- Always maintain a summary of the progress made to date, against the original project objectives
- Maintain an up-to-date analysis of other funding identified within the detailed project submission (i.e. when the Force is providing police officers to support the project objectives from within its own budget)

## **3.11 VAT**

3.11.1 In most cases the police service is able to recover VAT paid on goods and services purchased. In addition it does not need to charge VAT when it bills for goods and services provided to other local authority or central government department. However, there will be instances when there is some uncertainty as to how VAT should be treated. The key message is when in doubt; consult the VAT experts within your organisation.

### ***3.11.1 VAT and Partnerships***

3.11.1.1 The term *partnership* is commonly used to describe the coming together of public bodies such as the police with other public bodies, the voluntary and private sector, to achieve certain objectives. Such partnerships do not create a separate legal entity, which for VAT purposes might require separate VAT registration. However, the coming together of such bodies under a partnership arrangement presents a number of VAT issues. For example:

- Should VAT be accounted for on the income that the partnership receives?
- If so, which partner should account for this VAT?
- Is VAT recoverable on purchases and expenditure?
- If so, which partner should recover this VAT?

3.11.1.2 In considering the VAT liability of income received for partnership activities, the answers to the following questions will assist your Finance Department in advising on an appropriate way forward:

- Who will benefit from the service provided by the partnership?
- What is the partnership setting out to achieve?
- Do the parties involved in the partnership profit from the aim of the partnership?

### ***3.11.2 Expenditure***

3.11.2.1 With expenditure, the VAT can only be claimed by the person to whom the supply of goods or services is made. However, if a third party (an agent) procures goods on behalf of another person VAT can be reclaimed as long as it is recharged in the same VAT period.

3.11.2.2 Note: When the police service assumes the role of lead accounting body, and purchases all goods and services required to fulfil the objectives of the partnership, it may not be able to recover all or some of the VAT it incurs. For example if a third party buys goods for the partnership inclusive of VAT the police service could not recover VAT on that part of expenditure or purchase made. If it did, it would have to account for output tax on the part of the funding it receives. If this was likely to be the case, it may be better for the police service to procure the required goods and services.

3.11.2.3 If the police service is the lead accounting body and is charged with achieving the aims and objectives of the partnership, and all funding that is made available to it belongs to it, subject to the normal rules (for example, receiving proper VAT invoices), the police service can reclaim VAT on all the goods and services it purchases.

### ***3.11.3 Procurement***

3.11.3.1 It is essential that the procurement department be consulted during the bidding process in order that advice can be provided on contractual matters, even if the value of the purchase is below contractual level and can be done on an informal basis at local level. The purchase of any goods and services is subject to the Force's purchasing policies.

### ***3.11.4 Partnership Grants***

3.11.4.1 The appropriate department should have sight of all contracts, including those prepared by partners to ensure that the Force is safeguarded and there are no latent or hidden liabilities. The contractual relationship between partners is also subject to audit requirements. If the project includes the purchase of equipment or services, your procurement department should be consulted to ensure that any contractual arrangements comply with current policies and procedures.

3.11.4.2 If the project monies include the use of premises by non-police employees, the leasing of additional accommodation or building works, the property services department should be consulted at an early stage. Should the project include purchasing or leasing of IT or telephone services or other technical related items, then the department responsible for IT purchases should be consulted before any commitment is made. Timescales for submission of grant applications may not allow for proper consultation with internal departments, however, this should be undertaken prior to the Conditions of Grant being signed.

## **3.12 Regional/National Opportunities**



3.12.1 Bidding partnerships may include local partners like the county council or voluntary and community groups in the area. However, partnerships with other police forces should also be considered to draw down funding on a regional or national scale.

3.12.2 European Community Funds require projects to demonstrate tangible ‘added value’ to the rest of Europe. While one police force may have difficulty demonstrating this level of impact, a consortium of Forces may be able to do so. Likewise working with other Forces to apply for government funding can overcome some of the localised problems discussed in the section on ‘Measuring Success’ while also meeting the Modernising Government and Police Reform agendas.

### 3.12.3 Case Studies

- Hertfordshire Constabulary, Bedfordshire Police and Cambridgeshire Constabulary were successful in obtaining a grant of £500,000 from the Recovered Assets Fund to set up the Eastern Region Tasking & Co-ordination project. This enabled the Forces to share intelligence and identify criminal groups that were active across the region in connection with crime series and drug supply.  
*Contact: Hertfordshire Constabulary.*
- Cambridgeshire Constabulary, Lincolnshire Police and Norfolk Constabulary worked together on the Fens Policing Project. This was a targeted policing initiative focusing on repeat victimisation and cross border crime. The grant was for £600,000.  
*Contact: Norfolk Constabulary.*
- North Wales Police received a grant for £277,500 from the Welsh Assembly to recruit three dedicated police officers and a liaison officer to work within the Communities First Programme. Communities First is a long-term community approach to regenerate Wales’ most deprived communities.  
*Contact: North Wales Police*
- Surrey Police received £1.47 million from the HM Treasury/Cabinet Office Invest to Save Programme Round 8. The project was to implement an innovative partnership approach to providing FME custody provision through the use of specially trained paramedics and voluntary sector nurses.  
*Contact: Surrey Police*

## 3.13 Measuring Success

3.13.1 It is vital that when success is recorded that appropriate credit is given. This includes individuals and other agencies.

Note: Meeting the funder’s objectives must be a primary goal in all Bid and Grant activity. Funders will distribute grants as a way of delivering their objectives. They need well-planned and managed projects just as much as the project needs funding. A good funding proposal will show how it meets the needs of the funder, as well as the recipients.

## 3.14 Project Template

3.14.1 This template is a useful tool for:

- Choosing options to solve a particular problem (fill in one for each potential problem)
- Forming part of your business case (justify taking forward the project)

3.14.2 It is available on the Home Office Crime Reduction web site under *toolkits*.

	<p><b>What is your chosen option/project?</b></p> <p>Youth Shelter and Sports Facility</p>
1	<p><b>What is the precise problem to be tackled?</b></p> <ul style="list-style-type: none"> <li>• Young People congregating outside local shops causing minor damage to property</li> <li>• Bored young people causing a nuisance to local residents which has increased the fear of crime especially amongst older people</li> </ul> <p><i>If more information is needed, how can it be obtained?</i></p>
2	<p><b>What output(s) do we want to achieve and by when?</b></p> <p><i>How do these relate to the problem identified?</i></p> <ul style="list-style-type: none"> <li>• Creation of a community building</li> <li>• Development of a youth club at the facility</li> <li>• Encourage young people to participate in the building development and fund-raising</li> </ul>
3	<p><b>What outcome(s) do we want to achieve and by when?</b></p> <p><i>How do these relate to the problem identified?</i></p> <ul style="list-style-type: none"> <li>• Ownership of new facilities by young people</li> <li>• Fewer reports of nuisance behaviour</li> <li>• Reduction in fear of crime expressed by older people</li> </ul>
4	<p><b>How will the option achieve the desired effect?</b></p> <p>What is the mechanism for achieving the result intended?</p> <ul style="list-style-type: none"> <li>• Occupation of young people's time in a structured activity</li> <li>• Involvement of young people in siting of facility and sports facilities offered</li> </ul>
5	<p><b>What evidence is there to support this approach?</b></p> <p><i>Has anything similar been done elsewhere?</i></p> <p><i>If so, was it well evaluated and was it successful?</i></p> <ul style="list-style-type: none"> <li>• See progress reports from Youth Inclusion Projects funded by Positive Futures and Youth Justice Board</li> </ul>
6	<p><b>What else needs to happen for the option to work?</b></p> <p><i>Under what circumstances will the option achieve the intended outcome?</i></p> <p><i>Does it depend on specific conditions or resources, or on support from relevant interests? If so, are these conditions present or can they be created?</i></p> <ul style="list-style-type: none"> <li>• Demand needs to come from young people, therefore consultation necessary.</li> <li>• Co-operation of older members of the community</li> <li>• Health &amp; Safety Risk Assessment needed</li> <li>• Needs to be staffed (or managed by volunteers) at times acceptable to young people</li> </ul>
7	<p><b>How much do we need to make a difference?</b></p> <ul style="list-style-type: none"> <li>• Assessment of similar facilities in surrounding areas needed otherwise resource could be swamped and increase nuisance behaviour by attracting young people from other areas</li> <li>• Needs to attract those young people currently involved in nuisance behaviour</li> </ul> <p>Needs to be sustainable over sufficient time until young people re-negotiate their priorities</p>
8	<p><b>How will we know if it is working?</b></p> <p><i>How and how often will progress be measured?</i></p> <p><i>Who will undertake the work?</i></p>

	<ul style="list-style-type: none"> <li>• Numbers using facility and of those how many were previously involved in nuisance behaviour</li> <li>• Reports from residents re. nuisance behaviour</li> <li>• Comments from young people and older people</li> </ul>
9	<p><b>What resources will be needed?</b>  <i>What start up costs, staff time; capital and running costs are likely to be required, and how will these be met?</i>  <i>What could be provided in 'kind'?</i></p> <ul style="list-style-type: none"> <li>• Cost of equipment, maintenance, staff cost</li> </ul>
10	<p><b>What will the positive or negative side effects be?</b></p> <ul style="list-style-type: none"> <li>• <b>Positive:</b> Sports and leadership skills developed by young people, healthier lifestyles, better communication between generations</li> <li>• <b>Negative:</b> Potential widening of gap between old and young if relationship, ground-rules and behaviour not managed</li> </ul>
11	<p><b>Will the benefits outweigh the costs?</b>  <i>Will the outcomes be worthwhile?</i>  <i>Could the resources be better used on an alternative option?</i>  <i>Does the option represent 'Best Value'?</i>  Similar schemes (for example Thames Valley Police Youth Shelters have demonstrated a positive cost-benefit return.)</p>
12	<p><b>What is your exit strategy?</b>  <i>How will you ensure sustainability?</i>  Management committee of young and older representatives set up and further fund-raising carried out.</p>

# Section 4 – Registered Charities & Trusts

## 4.1 Overview

4.1.1 The emergence of independent charities or trusts established by police forces in partnership with the community, whose purpose is to complement and support the work of communities within a particular policing area, began in the mid 1990s.

4.1.2 Currently over 20 constabularies have their own registered charity or charitable trust. The difference between a charity and a trust is determined by the way the charity's objectives are drafted, whether it is also a Company Limited by Guarantee. The name of the charity is important, rather than the charity registration number, as the name appears on all appeals literature and members of the public will identify a charity by its name.

4.1.3 The purpose of the individual charity is enshrined in a Trust Deed or (in the case of a Company Limited by Guarantee) the Memorandum and Articles of Association. Great care should be taken as to how these objectives are drafted because in effect they determine the type of activities the body can undertake once established.

4.1.4 It is not possible to establish a charity solely to raise money – there has to be a charitable purpose e.g. 'to reduce crime and the fear of crime'

4.1.5 The aims and activities of these independent bodies vary slightly between force areas. Some are largely reactive – gathering in resources and then redistributing them in the form of grants. Others are more proactive, not only raising money but also developing and implementing their own projects, which broadly support community projects in line with policing priorities. Some charities have introduced a business membership scheme to encourage organisations to pay annual fees, which are paid to the trading company and donated to the charity at the year-end through a deed of covenant.

## 4.2 Opportunity

4.2.1 A charity is an opportunity for the police service to establish positive relationships with a wide cross-section of the local area including the business sector, voluntary and community groups, minority groups, religious groups, legal and accountancy practices.

4.2.2 The establishment of a trust or charity, although a legal process, is not unduly difficult or complex, however, careful thought needs to be given to the structure and operating practices, which should be designed to meet the needs of the particular area and of the local communities in which they operate. (See case studies in section 4.10).

4.2.3 It should also be noted that running a charity requires ongoing administrative activity including:

- managing accounts
- submitting annual Charity Returns (and Returns to Companies House if a charitable company)
- dealing with correspondence
- processing grant applications consistently and transparently (if a grant giving trust)
- preparing and recording Trustees meetings

4.2.4 If the Police Force is intending to take responsibility for such matters, even on a temporary basis, they will need to consider resource implications. Poor administration of a charity can result in action by the Charity Commission.

4.2.5 Although independent bodies, most existing 'police partnership' charities and trusts have a significant police presence on their board of directors or trustees. Many are chaired by Chief Constables or other ACPO rank officers, this has the advantage of bringing statistical information, crime intelligence and other expertise to the decision making process.

4.2.6 The decision making process is aided by key representatives from other statutory organisations and from business, who bring additional benefits through their diverse experience.

4.2.7 Charitable organisations of the kind described are capable of making a significant difference to crime reduction and community safety programmes. They provide flexibility and responsiveness, which is not always possible for the police and its partner organisations to achieve.

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4.2.8 Charities are able to access funds that are not generally available to statutory bodies. Additionally, because they are able to represent a wide cross-section of the community through the directors or trustees, they can act as the ideal lead body when consortium bids are being considered or collaborative programmes are being introduced.

4.2.9 In terms of general fundraising, charitable bodies not only have the opportunity for broad appeal they can also take advantage of various tax benefits such as the Gift Aid scheme or Council Tax relief on property. Also, whilst donors and sponsors are often reluctant to support activities that they view as requiring core funding, they will support complementary programmes. These programme/projects can make a significant impact on crime and fear of crime in that area.

## **4.3 Process**

### **4.3.1 Charity Commission**

4.3.1.1 Charities and trusts are subject to control and review by the Charity Commission and must comply with a number of regulations that flow from that control.

4.3.1.2 The latest Charities Act 2006 provides excellent advice in establishing a charity, however changes as a result of the act are still being implemented and can be viewed by visiting the Charity Commission's website at [www.charity-commission.gov.uk/spr/charbill.asp](http://www.charity-commission.gov.uk/spr/charbill.asp) In particular, you are recommended to visit "Things to think about before setting up a new charity" [www.charitycommission.gov.uk/registration/think.asp](http://www.charitycommission.gov.uk/registration/think.asp)

4.3.1.3 Once established the charity will be controlled by a Board of Directors or Trustees who are often drawn from the local community.

4.3.1.4 Charity Commission guidelines currently allow considerable flexibility for income generation, permitting charities to operate a wide range of activities in order to achieve their aims. Clearly these activities must fall within the law and more specifically within the guidelines written into the Trust Deed or the Memorandum and Articles of Association.

4.3.1.5 To this end it is recommended that the aims and objectives of any newly established charitable body be carefully considered and broadly drawn in order to provide maximum flexibility. If, in the light of experience, it is decided to change the aims of the body in question the Charity Commissioners will allow adjustments to be made.

4.3.1.6 The Charity Commission ([www.charity-commission.gov.uk](http://www.charity-commission.gov.uk)) produces model forms of governing documents:

- Memorandum and Articles of Association (GD1)
- Trust Deed (GD2)
- The Constitution (GD3)

4.3.1.7 With imaginative management and clear communication between the charity and the local force area, a charity can implement or financially support initiatives that may otherwise remain on a long list of competing priorities.

4.3.1.8 The creation of a charitable organisation is best undertaken with the support and advice of a legal advisor who specialises in the field. The Charity Commission, via their website, provides a start-up pack and general information. However it is best that the legal advisor is involved from the outset. Legal advice can often be provided free of charge by approaching the local 'professional firms group' who may be happy to carry out this work on a pro-bono basis.

4.3.1.9 The legal and administrative processes are reasonably straightforward; however there are two overriding issues, which should be carefully addressed.

- The precise structure of the charity (i.e. what does it want to achieve?)
- The composition of the Board of Directors or Trustees (i.e. who will help the charity achieve its objectives?)

4.3.1.10 Once the aim of the charity has been agreed the objectives need to be formed in a way that reflects the vision. The purposes for which this legal entity is being established must be set out in the Trust Deed or in the Memorandum and Articles of Association. Consideration should be given to:

- The likely areas of charitable work
- The geographical reach of the charity
- Ability to carry out research

- Ability to work on a regional scale
- Whether or not the charity is likely to become involved in trading activities
- Training or the development of intellectual properties

4.3.1.11 In 2002 the Cabinet Office issued a report 'Private Action, Public Benefit' which is a wide ranging review of the legal and regulatory framework of the not-for-profit sector of which charities form the major part. The Charity Commission has published a response to the proposals 'The Charity Commission's response to the Strategy Unit review' which is available on the Charity Commission website at [www.charitycommission.gov.uk/spr/corresp.asp#1](http://www.charitycommission.gov.uk/spr/corresp.asp#1)

4.3.1.12 All charities or trusts which meet the minimum requirements for registration are entered onto a Central Register of Charities and given a unique registration number, which will often be required in applications for funding or other correspondence.

## The Establishment of a Charity/Trust

The Charity Commission publication CC21, provides guidance on Registering as a charity and should be read prior to requesting the Registration Pack. This document is available at <http://www.charity-commission.gov.uk/publications/cc21.asp>

To register a charity you will need to:

- ❑ Complete the Application Form (APP1) contained in the Registration pack
- ❑ The Declaration Form in the pack (DEC1) should be completed by all trustees.

### **In addition the following must be provided:**

- ❑ Two certified copies of the dated trust deed showing the names of the first charity trustees and the witnesses to their signatures.
- ❑ Evidence of adjudication by the local Stamp Office or a valid exemption certificate.
- ❑ Certified copies of any supplemental deed of variation showing subsequent amendments, duly signed and witnessed, showing evidence of stamping if necessary.
- ❑ Relevant supporting information that may help the Charity Commission's understanding of exactly how your organisation will meet its charitable aims should also be submitted. This may include promotional literature, independent assessments from experts, lottery grant applications if applicable, newspaper articles, business plans etc.
- ❑ A full narrative description of the proposed activities should be given, not simply a reiteration of the objectives from the governing document.
- ❑ Evidence that the minimum income requirement for compulsory registration (£1,000) is likely to be achieved will also help the Commission deal with your application more quickly. This may be in the form of accounts, bank statements or written pledges of funding.

The Charity Commission in considering applications must apply charity law in making judgements as to whether an organisation is charitable. This includes:

- Checking that the objectives are charitable in law
- Checking its activities or proposed activities to see whether these are capable of furthering the stated purpose
- Being satisfied that the public benefit test is satisfied.

The Commission aim to reply to applications within fifteen working days of receipt. This letter will approve your application, ask for additional information so that it can be considered in greater depth, or reject the application setting out the reasons for doing so. The name and contact number for the person dealing with your application along with a reference number to quote in future correspondence will be provided.

### **Date of Registration**

If an application is successful, the date of registration is the date on which an organisation is entered on the Register of Charities. However, charitable status does not depend on registration but on the date that the organisation was set up as a charity. The Inland Revenue may backdate tax exemption to the date on which the organisation started to carry out exclusively charitable purposes, even if this was before the date of registration.

NB The Charity Commission covers England and Wales and cannot register organisations set up under the laws of Scotland, Northern Ireland, the Isle of Man or the Channel Islands.

## **4.4 Funding Strategy for the Charity or Trust**

4.4.1 Charities can raise funds from a number of sources. They are able to apply to other Charitable Trusts for funding, as well as the National Lottery and other non-departmental government agencies or approach businesses for sponsorship. The Home Office also provides funding opportunities that can only be applied for by registered charities.

4.4.2 Much of the good practice in applying for funds and managing sponsorship is covered in other sections of this Guide. However it is equally important to have a strategy behind the fundraising that will be informed by the objectives and type of charity.

4.4.3 Many of the original ‘police partnership’ charitable trusts were set up to be classic endowment, grant giving trusts; managing an investment sum and spending a proportion of the investment return. However unless you are clear that there is a major donor willing to establish such an endowment, and are willing to live with the current low returns on investment, then it might be worth looking at a different model.

4.4.4 A business membership scheme can be a great way to bring the business community closer to issues of community safety and a means for them to satisfy expectations from society regarding corporate social responsibility. Membership schemes can be ‘high-maintenance’ and will need a tariff-based pricing approach but can work well. It is also clear that member companies will want something back – perhaps access to community safety advice, or networking opportunities. It depends on at what level your charity is to be resourced.

4.4.5 Project based funding is likely to accompany any charity’s activities. This means that it is the projects being developed or supported by the charity that will be the focus of any funding approach. Companies and trusts may prefer to give directly to the beneficiary rather than the intermediary.

4.4.6 Events can be great fundraisers too especially with access to police partner networks to sell tickets. Events can be a great deal of work and the costs involved need to be balanced against any income generated.

4.4.7 There are myriad of other ways to bring income into the organisation. Recycling schemes, charitable internet search engines, marathons etc. can all generate much needed income. Be creative!

## **4.5 Working with Partners**

4.5.1 The scope and choice of activities for the charity might also involve consultation with potential trustees or directors. Dependent on the activities of the charity or trust, the liability for the individuals concerned can vary considerably. It should be noted that there are requirements for charities and trusts to carry an indemnity policy for their trustees.

4.5.2 Potential trustees or directors should be approached on the basis of their commitment to charitable work, their experience and knowledge of the local community and the extent to which they are able to contribute to the work of the charity through their contacts with other organisations and individuals.

4.5.3 A charity provides the opportunity for businesses to offer their middle or senior managers to serve as part of their corporate social responsibility programme, viewing the experience as development for the individual concerned. Consideration should also be given to reflecting the makeup of the local community by getting the correct gender and ethnic minority balance.

4.5.4 When the charity becomes operational it is important that the trustees/ directors are able to act fully for the benefit of the organisation. This may require that their notification under the Data Protection Act 1998 will permit disclosure of relevant information to partners. This can be achieved by notification to the Information Commissioner’s Office, which will also provide advice on these matters.

4.5.5 Once they are constituted as a body, trustees should ensure that their activities reflect an ethical policy, also that they comply with the contents of the Trust Deed or the Memorandum and Articles of Association. The Charity Commissioner’s website gives further advice.

4.5.6 It is important to ensure that trustees or directors appointed to the charity are fully aware of their duty to act in the interests of the charity. If nominated by a particular organisation it must be made clear that their duty is to the



charity and not to their employers. Consideration should be given to any potential conflict of interest that might arise, especially in cases where trustees are drawn from the police force setting up the charity.

## **4.6 Benefits of Creating a Trust**

4.6.1 Individual forces should take the view that a charity or trust whose philosophy and purpose is complementary and supportive to what they are trying to achieve is an exciting opportunity. Such a body can be established at minimal cost to the force. The benefit of widening the number of channels through which money and other resources can flow toward crime reduction and community safety will assist local officers to achieve their overarching aim of safer communities.

4.6.2 Charities are often able to be more flexible than a statutory agency. For example it is unlikely that there will be any restrictions in carrying money forward from one financial year to the next. This can often be advantageous for funding continuity. However charities are subject to external audit and other accepted practices where financial regulations are concerned.

4.6.3 Decision-making structures and bureaucratic processes are likely to be far more responsive than in a large statutory body. Therefore charities can quickly implement their own programmes or support other organisations that are capable of addressing the problem.

4.6.4 Charities can also be very flexible in their employment policies. Often awarding short-term contracts of employment for the delivery of a specific project or calling on a bank of local free-lance workers who can deliver projects with a finite life span efficiently and effectively.

4.6.5 Although the work of police partnership charities and trusts frequently reflects local or national policing priorities, such agencies can also become local champions for community safety issues that police forces, with restrained budgets cannot address. Examples of such work include charities, which lead on problems faced by the business community or others that take the lead on anti-social behaviour amongst communities.

4.6.6 With appropriately drafted Trust Deeds or Memorandum and Articles of Association charities can generate income from grants, other trusts and charities, sponsorship and trading activities in addition to certain tax benefits which apply to their status.

4.6.7 In addition to helping address important local or regional needs they enhance the public image of the police service and all the individuals and agencies involved. There can be a close and strategic alignment between the operational objectives of the police service and the charity. Therefore the synergy created between the two bodies (and other partners) can be of great benefit to both organisations and contribute to safer communities.

## **4.7 Ethics**

4.7.1 Charities and Trusts may wish to prepare their own statement of ethics. This should state that the charity or trust operates within existing law and provide assurances on values, integrity, fairness, independence, honesty, professionalism, openness and transparency. Sources of income can also be an issue and it is recommended that the statement should include words to the effect that monies will only be received from ethical sources.

4.7.2 A statement of policy on ethics may include the following:

- Ethical investment of charity's funds where reputation is considered as well as financial return
- Transparency and openness in the use of funds to increase public confidence and to allow supporters to see how funds are used in delivering the activities of charities
- Sponsorship must not bring discredit to the charity
- Sponsorship must not create or appear to create favour for any person or organisation
- Sponsorship must not have conditions attached which the charity is unable to fulfil
- Reference to the charity's Equal Opportunities Policy

## **4.8 Annual Reports**

4.8.1 All charities have to prepare annual accounts and Registered Charities must prepare an Annual Report. The Charity Commission's guidance Charity Accounts: The Framework (2005 as amended) sets out the accounting requirements for different sizes and types of charities and The Statement of Recommended Practice: Accounting and

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Reporting by Charities (Charities SORP) provides recommendations for the format and submission of charity reports and accounts.

4.8.2 Charities SORP calls on charities to explain their objectives by reference to the governing document, but may also include the charity's mission statement - explain the strategies and activities for meeting these objectives. This should include significant changes and developments in the past year as well as looking ahead to plans for the following year.

4.8.3 In addition to the Financial Statement, charities should provide a narrative element to their Annual Reports. The narrative should include statements on issues such as reserves policy and risk assessment. It should also show whether the charity has achieved its objectives during the year and enable the reader to assess how effective the charity has been in its work.

4.8.4 Trustees must give consideration to risk assessment and charity trustees are required to identify all areas of risk within their organisation. A charity's Annual Report must now include a statement on risk assessment. The statement can be prepared by the Accountants appointed to produce Annual Report and Accounts, although the final responsibility for assessment lies with the trustees.

4.8.5 Charities preparing accruals accounts should use SORP 2005 when preparing their trustees' Annual Reports and Accounts for accounting periods beginning or after 1<sup>st</sup> April 2009. Charities are also encouraged to follow these recommendations for earlier accounting periods. Advice to assist on the preparation of charity accounts and reports can be viewed on the Charity Commission website "Charity Reporting and Accounting – The Essentials" at: <http://www.charity-commission.gov.uk/investigations/sorp/sorpfront.asp>

## 4.9 Adding Value

4.9.1 Establishment of a charity or trust provides businesses with a method of making a positive contribution to the crime reduction partnership between the police, the community and business. Crime reduction and community safety is now universally recognised as a shared responsibility and a charity or trust provides a structure within which businesses can work with communities to support these partnerships.

4.9.2 Charities have considerable potential to generate income, which can either directly benefit specific projects or deliver complementary programmes. Depending on how the objectives of the charity have been drawn up it can also add value by carrying out research on behalf of the partner agencies or by establishing educational programmes.

4.9.3 The networks developed by an active charity or trust not only benefits that body directly, but also provides opportunity for other police priorities to be pursued through partnership work.

## 4.10 Case Studies

### - **People United Against Crime:**

The Trust focuses on crime reduction, education, diversion and social inclusion. One initiative to combat anti-social behaviour was to provide youth shelters linked to floodlit multi-use games areas. The charity acted as a facilitator and catalyst using its charitable status and expertise to raise funds and project manage.

*Contact: People United Against Crime/ South Yorkshire Police.*

### - **Herts in Trust:**

The charity was established in March 2003 by Hertfordshire Police to help secure safer communities in Hertfordshire by supporting and driving projects to tackle crime and the fear of crime. The Trust provides grants to charities, voluntary organisations and community groups undertaking projects in Hertfordshire. Past awards include the London Colney Cobras Basketball team who are working very successfully with disadvantaged local youths and the Herts Motor Project, which provides training for young people who have been or are on the verge of being excluded from main stream education.

*Contact: Herts in Trust/ Hertfordshire Constabulary*

# Section 5 – Sponsorship, Donations, Gifts and Loans

## 5.1 Overview

5.1.1 Section 93 of the Police Act 1996 states that “a Police Authority may, in connection with the discharge of any of its functions, accept gifts of money, and gifts or loans of other property, on such terms as appear appropriate to the Authority”.

5.1.2 The acceptance of sponsorship for non-core police activities is intended to extend and enhance the force's service to the community.

5.1.3 Sponsorship is subject to a 1% limit of force's total annual income<sup>3</sup>.

## 5.2 Definition

5.2.1 Sponsorship: The giving of money, goods or services or the loan of goods or services to support activities which will enable the Force either to enhance or extend the service which it would normally be expected to provide and for which the provider expects a defined benefit. This will normally involve:

- **Commercial benefit to the provider:** An organisation (business) paying to have its name or one of its products/services associated with an initiative or activity of the Force. Sponsorship under these terms does not include gifts or loans to Force employees in their capacity as private individuals.

5.2.2 Sponsorship has previously been known as ‘Commercial Partnerships’, a term which should be avoided due to the legal obligations often associated with any ‘partnership’.

5.2.3 Sponsorship should not be confused with:

- **Donation or philanthropy:** When the provider is given no defined or commercial benefit
- When a public or private sector organisation donates equipment or cash the gift is deemed a donation because the Force is not directly liable for the grant conditions. (E.g. a local authority has obtained Safer Communities funding and from this donates an off-road motor cycle for the police to use to cut down on anti-social behaviour.)

## 5.3 Process

### 5.3.1 Finding a Link

5.3.1.1 When seeking sponsorship, a natural synergy or vested interest in the project should be sought; for example security, alarm or insurance companies might support anti-burglary initiatives. It is also advisable to conduct basic research into the expected benefits of the project and the types of companies that may be attracted to the project.

5.3.1.2 Almost any type of company has the potential to sponsor and all companies have a target customer. The key is to establish who their existing customers are and the new customers they wish to attract (e.g. banks and credit card companies may be interested in attracting students to open their first accounts.) Companies of differing sizes have larger or smaller budgets; it is worth noting that small and medium sized enterprises have an average annual sponsorship spend of perhaps £500.

5.3.1.3 Some idea of the commercial value of the opportunity being offered is essential. This will not simply be the cost of the project but, more importantly, the value to the sponsor and therefore how much they are willing to pay. There are certain ways of establishing the value:

- What is the cost of advertising in the local newspaper, or on local radio?
- What is the cost of distribution to a specified market segment?
- Benchmark against similar projects in other forces

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<sup>3</sup> Home Office Code of Practice on the Police and Magistrates Act 1994 – Appendix A

### 5.3.2 Identifying a Sponsor

5.3.2.1 Research on corporate mission statements, corporate social responsibility policy, current advertising messages and charitable contributions will all assist with identifying a suitable sponsor.

5.3.2.2 Public relations companies and sponsorship consultants are worth contacting as they have clients with specific marketing needs who will form suitable partners.

5.3.2.3 Local Chambers of Commerce, Business Link, Rotary or Lions clubs are also worth researching.

5.3.2.4 There are many publications on funding, advertising and sponsorship, plus weekly magazines such as the Institute of Fundraising's *Third Sector Magazine*.

5.3.2.5 Contact should always be made with a named person in organisations. Marketing or Community Relations personnel are recommended in larger companies.

## 5.4 Benefits

5.4.1 The primary reasons for organisations to sponsor is to increase their customer base, the existing spend per head and overall customer loyalty.

5.4.2 Other issues on the sponsorship agenda include:

- Promotion of a caring image (corporate social responsibility)
- Support of community concerns (cause related marketing)

5.4.3 Sponsorship assists companies in the following ways:

- Communications clutter - sponsorship can make a particular product/service stand out from the rest
- Market segmentation - sponsorship offers a targeted way to address specific markets
- Focus on returns - the impact of sponsorship can be measured e.g. increased sales, higher market awareness, changing a negative image
- Trade domination - sponsorship helps successful companies stay successful and offers ways to differentiate from competitors
- Brand loyalty - sponsorship can encourage consumers who identify with the cause from brand switching
- Added value - customers may feel better about their purchase when the purchase contributes to a good cause e.g. Andrex - Guide Dogs for the Blind.
- To improve employee relations and raise staff morale
- Supporting the community in which they operate – linking to regeneration
- Providing commercial advantage for businesses and relevant network opportunities through sponsorship.
- Clearly demonstrates partnership working

Note: Sponsorship may also be used to overcome a bad press image. The motive behind any desire for involvement with the Police should always be considered and great care exercised in regard to Force image and integrity.

## 5.5 Ethics

5.5.1 Sponsorship may be a useful way of implementing or enhancing the activities of a Force and the sponsor. At all times sponsorship should be obtained from appropriate sources.

5.5.2 It should be recognised that sponsors will usually seek to maximise the benefit obtained from any association with a Force. Great care must be exercised to ensure that a correct balance is maintained between the legitimate business aims of the sponsor and the interests of the Force. Although priority must always be given to the needs of the Force, the benefits of the sponsor must be kept in mind.

5.5.3 However:

- Sponsorship should support the aims, values and objectives of the Police Authority
- The operational independence and integrity of the Chief Constable and Police Authority must be maintained at all times
- A Force must not become reliant on sponsorship and it must not be used to fund core police functions.

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- Sponsorship must not adversely affect the delivery of any policing.
- Sponsorship should not be accepted where there is a risk of offending the integrity or propriety of the Force, i.e. endorsement, preferential treatment in supply or contract of goods, where agreement may influence policy or operation.
- Offers of sponsorship should not be accepted from sources that come under the direct scrutiny of the police, e.g. Firearms Dealers that are licensed by the force.
- When sponsorship is provided by means of goods or equipment a suitable record should be maintained of its usage, location and any conditions attached to it, e.g. local equipment inventory.
- All sponsored resources should comply with relevant strategy/policy on supplies and equipment.
- Publications must contain a disclaimer – a statement making it clear that the Force cannot endorse any product or service advertised.
- Any sponsorship arrangement should not generate adverse publicity or offend the public.

5.5.4 Failure to adhere to the ethics of sponsorship can have serious consequences. Forces should be aware of recent case law (R vs. Hounsham) which criticised a Constabulary for accepting sponsorship from a company involved in a case to fund the arrest stage of the investigation.

## 5.6 Telephone Preference Service

5.6.1 The Privacy and Electronic Communications (EC Directive) (Amendment) Regulations adopted in June 2004 enables corporate subscribers to register their objection to receiving unsolicited direct marketing calls and faxes by registering their telephone number with the Telephone Preference Service (TPS) and registering fax numbers with the Fax Preference Service (FPS).

5.6.2 The regulations apply to direct marketing messages by electronic means such as by telephone, fax, e-mail, text messages and picture (including video) message and use of automated calling systems.

5.6.3 In the Information Commissioner's guidance it is stated: "The Information Commissioner regards "direct marketing" to include a wide range of activities, not just the offer for sale of goods or services, but also the promotion of an organisation's aims and ideals. This would include a charity or political party making an appeal for funds or support."

5.6.4 Forces should ensure that a company has not registered its telephone number with the TPS before contacting them to ask for sponsorship. If in any doubt, write to the company instead.

## 5.7 Working with Sponsors

5.7.1 Forces are encouraged to work with other organisations as a way of gaining a wider network of partners that have a variety of different experiences and perspectives. However, before any approach is made decisions should be made about the support required. It is usually best to decide on the latter first as this will help in deciding on what type of partner should be sought.

5.7.2 In general sponsorship can be said to come from two ends of a spectrum:

HARD ←————→ SOFT

5.7.3 Hard sponsorship: usually involves the delivery of very specific returns/benefits to the sponsor. It exists primarily to achieve direct business results. For example, the benefit gained from an association with the police, through display of products or services in publications.

5.7.4 Soft sponsorship: is likely to be less specific and involve Cause Related Marketing or Corporate Social Responsibility.

5.7.5 It is beneficial to involve other public sector partners, such as education or health and to forge links with local business forums.

5.7.6 The Force PolFIG member should always be contacted as they have a national network of practitioners who specialise in advising on revenue generating opportunities. Information about PolFIG can be found on its web site at [www.polfig.com](http://www.polfig.com).

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5.7.7 The importance of Customer Relationship Management (CRM) must not be underestimated. The below dos and don'ts will provide some guidance.

<b>Please do...</b>	<b>Please don't...</b>
Suggest building a relationship and ask how involved they would like to be.	Assume your prospective sponsor will be aware of all the opportunities – in this respect you may have to be proactive and creative
Nurture the relationship with your 'champion' inside the business – and remember they have to prove to colleagues that it remains worthwhile.	Be fickle and try to duplicate your contact points or you will risk losing the trust and enthusiasm of the person who is promoting your cause.
Create opportunities to involve your sponsor wherever possible. Keep them informed of developments, challenges and successes, even if they are not directly involved with the project.	Be afraid of over-burdening your contact. Better they have an opportunity to say "enough – no more" than feel marginalised by being left out of decision making or not being given the opportunity to get involved with a new project.
Invite your contact to visit you so that they become increasingly familiar with your work and the police.	Ignore the need for all staff to feel involved.
Consider whether you could jointly apply for other types of funding.	Undervalue the power of third-party endorsements (people not involved with the partnership saying how good it is).
Seek to include sponsors in news releases and photo opportunities.	Forget your business sponsor might like some public recognition too.
Start to negotiate a further period of sponsorship in good time.	Leave it too late to start looking for a new sponsor if you need to.
Regularly show your appreciation for the support given by your sponsor.	Give the impression you're taking their support for granted.

5.7.8 The relationship between the Force and sponsors is one of the things that most often go wrong during the life-span of the sponsorship activities. Establishing sponsorship as an income source for your organisation is an investment and like all investments there is an initial outlay, a degree of risk and possibly low returns in the early years. It is vitally important when a deal is secured that managers allocate sufficient time and resources in order to deliver the promised benefits.

5.7.9 As far as the sponsoring company is concerned, it has entered into a legally binding agreement, and they will expect the police service to honour its side of the bargain. This is a good reason not to offer more than can be delivered.

5.7.10 A sponsor will expect to deal with just one or two individuals at all times, they will require regular updates on progress, and will expect to be consulted at all stages (especially when the use of their logo is concerned – this alone can be time consuming). Projects should be allocated a lead, which should always be replaced if internal staffing transfers take place. The sponsor should be advised accordingly.

5.7.11 Companies want to know what their investment has achieved, not only for the project, but also for their organisation. This can be crucial for a company's potential for future support. The form the evaluation report will depend on individual company requirements, so it is important to clarify this early in the relationship. A simple debrief or questionnaire will often suffice.

## **5.8 Project Management**

5.8.1 For the generic principles on Project Management please refer to the dedicated section.

5.8.2 A number of Forces have found benefits in having a designated person who co-ordinates sponsorship at a local level. These people liaise with the Budget Manager or relevant body within each Force.

5.8.3 Any person involved in sponsored projects should be fully aware of the Force income generation policy and their responsibilities to adhere to it.

5.8.4 Each sponsorship project should be registered at the onset and approval to proceed obtained from the individual or unit with the income generation portfolio.

5.8.5 A vetting process should be in place and where applicable it should include local intelligence, criminal and financial checks.

5.8.6 Each sponsorship project must be formalised in a contract or letter of intent (depending on the size, length and value of the project). Legal or Procurement departments will be able to assist.

5.8.7 A Force's crest, logo or name should only be used in accordance with that Force policy. A sponsor's logo, brand or trademark can only be used with their permission and guidance.

## **5.9 Record Keeping**

5.9.1 Sponsorship is subject to a cap of 1% of the Forces annual budget. There is a Home Office requirement to record all sponsorship and each Force must submit an annual sponsorship report to the Police Authority. This may be audited by the Home Office or through Internal Audit processes. It is therefore imperative that the records fully comply with current financial regulations. It is recommended that publication of Sponsors is additionally completed through posting on the Force's Freedom of Information web pages.

5.9.2 The approach to record keeping is for individual forces to determine. However Forces should endeavour to use consistent and accurate costs for recording sponsorship. Cash sponsorship should be recorded at the net value and in-kind sponsorship should ideally be valued at the cost to the Force if it had to purchase the service or goods provided by the sponsor. Forces should be able to clearly justify the methodology for determining the recorded cost and Contracts, Procurement, Commercial Services or Finance department should be able to supply the values of a given asset.

5.9.3 It is not ethical to record a sponsored vehicle at its full retail or list price if it has been provided to the force for a finite period. A more appropriate method of determining value would be to use the lease hire charges used by the force.

5.9.4 If information is kept in a database full adherence to all statutes must apply, such as the Data Protection Act and the Freedom of Information Act.

## **5.10 VAT**

5.10.1 VAT must be considered at the outset of the negotiation with a potential sponsor. This saves damaging goodwill, or the Force experiencing unplanned expenditure. Most businesses will be able to recover the VAT on sponsorship but not all, so any additional costs need to be identified from the start.

5.10.2 A community contribution (with no intended commercial benefit to the sponsor other than an acknowledgement) will not attract VAT, whilst a commercial opportunity (incorporating advertising space) will.

5.10.3 VAT must be accounted for, where the Force provides clearly identifiable benefits to the sponsor, which are classed as taxable supply.

5.10.4 Identifiable benefits include:

- Publicising the sponsor's business or products
- Making facilities available to the sponsor
- An event, concert or display named after the sponsor
- A sponsor's name or logo incorporated on a vehicle or other equipment.

5.10.5 If the Force does not do anything in return for the support, there is no taxable supply, and the donation of money, goods or service, can be treated outside of the scope of VAT. However this does not prevent the creation of an agreement or contract as to how the donation is used.

5.10.6 A simple acknowledgement of a donation in a programme or annual report is not seen as a supply of advertising and therefore, the donation remains outside the scope of VAT providing the donor's company logo is not used, nor is there mention of the donor's products.

5.10.7 If a sponsor gives a donation in addition to, but as part of a sponsorship agreement that may attract VAT, the donation can be excluded from the amount on which the Force accounts for VAT provided that:

- It is clear the donation is separate from the other sponsorship and neither are conditional upon the other
- The size of the donation is realistic in comparison to the amount of sponsorship and the respective benefits provided

5.10.8 It is strongly recommended that each Force approach their regional VAT office for the local interpretation of the VAT rules.

## 5.11 Types of Sponsorship

### 5.11.1 Contra-sponsorship

5.11.1.1 Sometimes called asset transferability, contra-sponsorship occurs when the sponsorship cash is not solely spent on the actual activity that is being sponsored. The sponsor must still receive the agreed benefits. The extra funds generated could enable other crime reduction initiatives.

### 5.11.2 Vehicle Sponsorship

5.11.2.1 There are several ways of obtaining sponsorship of vehicles:

- A sponsor pays to have its logo on a police vehicle (e.g. a company producing dog food 'sponsors' a number of police dog vans by paying for the display of their name/logo etc on the vehicles)
- A sponsor pays part or all the lease costs of a Force vehicle (e.g. an insurance company may wish to sponsor an additional vehicle for a specific use in the community)
- Sponsored loan or donated vehicles (e.g. a local dealership loans a new model for a specific purpose, such as community policing, to raise awareness of the model which provides good marketing for the dealership)

5.11.2.2 Evaluation vehicles and other equipment offered to Forces for trial purposes cannot be classed as Sponsorship or a Donation. They should be recorded as a Loan under the current legislation provided for the purpose.

5.11.2.3 Note: Additional costs for a donated or loaned vehicle should be addressed before an agreement is reached. These include:

- Insurance costs – Sponsored vehicles require insurance cover. It is essential to contact the Force Risk or Fleet Manager about this subject.
- The cost of decals and fitting
- Servicing costs
- Running costs are usually covered by the division benefiting from the additional vehicle, but need to be recognised as an additional cost to that division.

5.11.2.4 The Force's fleet management policy may affect the numbers of sponsored, loaned or donated vehicles available to the Force. Whatever the circumstances, on-costs should always be considered.

5.11.2.5 The Force may have a policy on how sponsored vehicles should look. The Force policy can affect the 'marketing value' of sponsored vehicles. Health & Safety implications should also be considered.

5.11.2.6 It is highly recommended that all externally provided vehicles should be subject to a formal agreement or contract between the Force and the sponsor. This should cover the following issues:

- Duration of vehicle provision
- Usage of vehicle
- Condition of vehicle on return
- Agreement termination/Escape clause
- Who is responsible for the various costs



### ***5.11.3 Sponsored Publications Provided by a Third Party***

5.11.3.1 Forces may secure sponsorship directly from a company to pay for or produce a variety of publications. However some Forces choose to secure the services of a third party to provide a publication which is provided free of charge to the constabulary and paid for through sponsorship or advertising secured by the third party. Examples of these publications include information packs, diaries, wall planners, crime prevention books and special event programmes.

5.11.3.2 This sort of activity offers a potential source of abuse by some third parties (often publishers and telesales organisations). Great care should be taken when considering using a third party to provide a sponsored publication. It is suggested that forces may wish to consider introducing guidelines or a policy to regulate their use.

5.11.3.3 The following are highlighted as specific items that **MUST** be resolved prior to any agreement:

- The full name of the person authorising the publication and their position in the Force or in what capacity they act.
- Full details of the publishing firm, including the name of the person contracting on behalf of the company.
- The sale of advertising – who will sell the advertising? Are the telesales team employed by the third party or simply contracted on a profit related pay basis.
- If the advertising is to be sold externally.
- How many copies of the publication the firm is authorised to produce together with a percentage rate of agreed advertising and editorial?
- A date for completion of the contract and a start and finish date for the sale of advertising space in the publication. Include details of any benefits to be received from the publishing firm including any authority fee or free publications. State when, and to whom, this will be passed.
- Include a list of persons or organisations to which the sale of advertising may or may not be acceptable in respect of the publication. Include the right to veto any advertiser before publishing without reason.
- Clarify that the publishing firm should not use any other company or persons in the performance of the contract without informing the authoriser and gaining their permission.
- Include a condition that the publisher shall not allow its agents to represent themselves as police officers or as employees of the Force, or give false or misleading information to advertisers in respect of the publication, its authorisation or benefit to any organisation.
- Include details of how, where and who will distribute the publication. If the advertisers are to be given a 'copy', ensure sufficient provision is made when agreeing the size of the print run.
- It may be necessary to give the publisher a letter of authority. It is not sufficient to merely state that the force has authorised a publication. The letter may be used to induce advertisers to agree to participate in the venture. It is therefore necessary to ensure that the letter includes all relevant details to allow the advertiser to make an informed decision. Ideally all advertisers should receive a copy of this information before committing themselves to the venture.
- In some cases the publisher may be required to state to the advertiser the amount or proportion of the advertising revenue which will pass to the authoriser. Failure to do so may constitute an offence under the Charities Act, and Regulations made there under. Ensure that the publisher is aware of this requirement and consider how this information should be given to the advertiser. It may be necessary to include the information in the letter of authority.
- Ask to see a sample of the publisher's standard invoice and term and conditions. The invoice should comply with the Business Names Act / Companies Act in that it should contain all the firm's particulars. Does the invoice give sufficient information to the advertiser about the publication? Are the terms and conditions fair to advertisers? Is there a 'cooling-off' period for advertisers after receipt of the invoice? Is there a provision

for cancellation, if the advertiser changes his/her mind? Does the invoice identify a Sales Agent responsible for soliciting a particular advertisement?

- Insist on seeing a proof of the publication and reserve the right to contact a sample of the advertisers to ensure they are happy with the way the advert was sold to them.
- Reserve the right to insist that the publisher refund the advertising fee if it is found that the advertiser was misled.

### 5.11.4 PCSOs

5.11.4.1 Most Forces have gained match-funding for PCSOs from local authorities, CSPs, parish councils and other public and private bodies. However with continually increasing numbers some Forces have approached companies for a financial contribution (advocated by Home Office Best Practice Guide to Funding PCSOs published in 2005). Forces may also wish to explore links with Business Improvement Districts (BIDs).

5.11.4.2 PCSO funding from companies should be treated differently from other forms of match-funding. The reason a company will engage with the police may be to gain commercial benefit from increased security and law enforcement near their premises or to company generated publicity to benefit their local reputation and market share. The funding should therefore be treated as sponsorship and subject to the same stringent conditions.

5.11.4.3 Forces should ensure that the process of securing sponsorship for PCSOs includes:

- Vetting process for companies
- Revised SLA incorporating sponsorship terms and conditions
- Procedure for charging VAT on commercial benefit

### 5.11.5 Intellectual Property Rights

5.11.5.1 Often Intellectual Property Rights are a missing factor in sponsorship agreements. For further information see the section on Intellectual Property Rights (IPR).

## 5.12 Link to Annual Plans and Strategic Aims

5.12.1 It is recommended that Forces encourage forward planning for sponsorship and other forms of income generation. This allows for a proactive rather than reactive response. Inclusion in the annual planning process is recommended.

<b>Please do...</b>	<b>Please don't...</b>
Examine your business plan, internal operations and constraints so you can identify the areas where a partnership with business could help you most.	Dive in with a request before you have fully considered where your strengths and weaknesses lie.
Prioritise your most pressing needs – financial, business expertise, in-kind contributions, or employee volunteer support.	Take the most obvious route and just think in terms of a financial contribution. Analysis might reveal that specialist expertise or volunteers would be more valuable – and could be more readily forthcoming.

5.12.2 Sponsorship should not be treated as an ad hoc activity, but as an essential part of the marketing strategy for both the Force and the sponsor. The level of sponsorship support needed to develop successful agreements must therefore be an integral part of the marketing planning process, i.e. consideration must be given to the issue of sponsorship as early on in the project as possible.

5.12.3 There should be a list Force priorities that includes both local and corporate requirements. Sponsorship activity should be given serious consideration, as it is likely to be raised for specific projects. This consideration exercise could form part of an awareness-raising training workshop or built into the Force's annual budget and planning process.

5.12.4 If the full potential for deriving benefits from sponsorship is to be secured, the whole Force must be encouraged to take a positive approach to securing and managing sponsorship.

## 5.13 Regional / National Opportunities

5.13.1 Valuable work is completed on a regional and a national basis through PolFIG. A National PolFIG conference is held and regions meet quarterly, to facilitate the sharing of ideas, best practice and develop projects to meet mutual needs.

### 5.13.2 Case Studies

5.13.2.1 The North East region has worked together effectively on a number of initiatives:

- Working with Yorkshire Water the region produced 4000 notices for lampposts, as well as flyers to warn against bogus callers.
- Working with Halifax Building Society it has produced a 'financial safety on the Internet' leaflet – distributed through the counties.

*Contact: West Yorkshire Police PolFIG member.*

5.13.2.2 Avon and Somerset Police created a pack containing advice for victims of car crime and road traffic collisions, sponsored by the RAC. The packs include a card for details exchange and the accident report form for police officers. They are given out at police station front offices or at the scene of a collision. The initiative has been highlighted nationally and as a result, other Forces have adopted the project.

*Contact: Avon & Somerset Police PolFIG member.*

## 5.14 Adding Value

5.14.1 Sponsorship agreements that could involve additional costs for the Force should be carefully assessed in order to ensure that the additional cost does not disproportionately outweigh the benefits (e.g. a gift of a car may incur expenditure on fuel, insurance and maintenance.)

5.14.2 Sponsorship is not just about the obvious above-the-line marketing benefits to the sponsor or the extra cash and equipment to the force. A Force can gain valuable experience and new skills by involving the commercial sector in initiatives at the earliest stages, so that ideas from both sides are invested in the initiative. Companies and Forces may find that employee morale is boosted by the exchange of skills and experiences that staff enjoy when involved in community based projects.

## 5.15 Endorsement

5.15.1 As part of a sponsorship or supply agreement a force may allow a company's name or logo to appear alongside its own. A simple strap-line might be used (e.g. "In partnership with Miggins and Co"). This is endorsement.

5.15.2 Endorsement ranges from short factual statements from unknown business clients and the printing of logos on literature to full sales promotions perhaps involving celebrities and household brand names.

5.15.3 Endorsement can be achieved via perception and it is in this area that the police should be most wary.

5.15.4 The power of the police brand must not be underestimated and care must be taken not to provide unfair commercial marketing benefit to organisations. As a public body the police have a duty to be factual and transparent. It is therefore acceptable that forces state their suppliers and provide information about the products used. It is also acceptable for companies to include forces on their client lists. Corporate testimonials are acceptable as long as they are factual and do not offer any personal opinions.

5.15.5 For example, it would be acceptable for a fact sheet detailing the Motorola handset used for a force's Airwave to include a statement from a representative of the force highlighting the benefits of the equipment. However, a strap-line saying the Motorola handset is the best in the world for policing needs would not be. Such a statement is not only providing unfair favour to a company but could open the force to a legal challenge.

5.15.6 When a company sponsors the police and there are branding opportunities as part of the benefit, then police authorities must be careful that the message of the sponsor is not seen as being that of the police. This is usually managed by a clear separation of the logos. Most forces have brand guidelines that provide clear instructions. The addition of a line or statement making it clear what the relationship is will ensure the public is not misled.

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5.15.7 For example, on a vehicle, the line ‘sponsored by’ above the sponsors logo tells the public why the logo is there. On literature, a statement such as ‘this guide is sponsored by’ will ensure there is no misunderstanding. It is wise to extend this to a full disclaimer such as:

**‘This leaflet is sponsored by *Some Company Ltd.* The *Anyforce Police Authority* does not endorse any of the products or services of any sponsor’.**

5.15.8 Care must be taken with the perception of an internal audience. Sponsors, exhibitors and advertisers at conferences and other events may be considered to be approved suppliers by officers and staff. This should be addressed by including an appropriate statement in delegate literature. For example:

**‘The sponsors, exhibitors and advertisers at this event are showcasing their products and services. It should not be assumed that they have supply contracts with the Anyforce Police Authority. Advice regarding corporate purchasing should be sought from the Procurement Department.’**

5.15.9 When trading, police authorities are promoting products and services and will, therefore be marketing them. Care must be taken when the product or service has been created in partnership with a commercial organisation. Liabilities and risks associated with such trading must be assessed, documented and appropriately approved.

5.15.10 If the police are just testing a third party’s product or service, then the marketing material must say so, and any use of branding must reflect the relationship accurately. If the product or service has been developed by both parties in an equal share, the branding can reflect that. Care must be taken that the commercial partner does not abuse the relationship with police.

5.15.11 The public must not be given the impression that products and services, other than the specific ones contracted to share, are perceived to be anything to do with the police. Any commercial partner must not use the relationship with the police in any way differently to a partnership with any other party. It is advisable to compare examples of the public face of existing partnerships with that being suggested with the police.

5.15.12 All branding using force endorsement should be obtained from the appropriate force’s Marketing and Income Generation experts.

# Section 6 – Charging for Services, Supplies and Products

## 6.1 Overview

6.1.1 There are a number of routes whereby charges may be levied for services, supplies or products but the main one is Section 18 of the Police Act 1996. This allows Police Authorities to supply goods and services to any person (see Legislation section). This Act allows existing initiatives or commodities to be exploited for the general benefit of the Force so long as the core business activity and overall efficiency of the Force is not impacted upon. The aim is to supplement income and generally improve the policing service available to the general public. Under Best Value, any service function can use this Act to maximise spare capacity.

## 6.2 Standard Charges

6.2.1 Section 18 allows for the legitimate charging for certain standard policing services such as firearms certificates, accident reports and fingerprints. ACPO's Guidance on charging 'Paying the Bill' includes a list of the most common charges and suggests some standard fees to facilitate national consistency and transparency in charging.

6.2.2 Forces and Police Authorities should ensure charges are increased annually in line with inflation.

## 6.3 Opportunity

6.3.1 Section 18 is not wholly about standard charges. There is an opportunity to use assets, spare resource capacity and expertise to support Best Value and generate additional income and/or resource to support and enhance Force service delivery.

6.3.2 There are numerous existing opportunities, as well as the potential for new areas of development, within each Force. The broad headings below are not exhaustive or exclusive:

### 6.3.3 Conferences and Seminars

6.3.3.1 Forces host and partner a variety of such events, often specialising in particular areas or activities. Some Forces may be able to stage a series of seminars or a conference – perhaps in association with a Local Authority, the Probation Service or other agencies.

6.3.3.2 Examples of differing types of conference activity include:

- Own Force: any relevant topic
- Own Force/inter agency
- National/International

*All above can be initiative specific or cover a variety of topics*

6.3.3.3 Conferences and seminars may be arranged to recover either the costs or, when further sponsorship opportunities exist, to support relevant initiatives.

### 6.3.4 Sale of Training

6.3.4.1 In general, training is a commodity that can both supplement costs and generate income both from other Forces and the commercial sector.

6.3.4.2 If a Force is a recognised expert in an area of policing, there may be opportunities to create and offer training in that field. Training material are generally regarded as an asset of that Force and should be protected (see below). Separate legislation exists which enables training to be sold abroad (see Legislation – Section 26 Police Act 1996).

6.3.4.3 Examples are listed below:

- Driver Training
- Firearms
- Investigative and Interview Techniques
- Personal and Property Protection.

### 6.3.5 Intellectual Property

6.3.5.1 Intellectual Property Rights (IPR), allow organisations and/or individuals to retain ownership of their creativity and innovation. The owner of IPR can control, and be rewarded for, its use.

6.3.5.2 The four main areas of IPR are:

- Patents for inventions – new and improved products and processes that are capable of industrial application
- Trade marks for brand identity – of goods and services allowing distinctions to be made between different traders
- Designs for shape and appearance – either functional or aesthetically pleasing articles or surface decoration, pattern or ornament
- Copyright for material – literary and artistic material, music, films, sound recordings and broadcasts, including software and multimedia

6.3.5.3 However, IPR are much broader, extending to trade secrets, plant varieties, geographical indications, performers rights and so on.

6.3.5.4 It is important to address the issue of IPR when developing products that can be sold. This is especially necessary when developing of a product with a partner leads to creation of both tangibles and intangibles; e.g. a training course on vehicle ringing co-developed by a Force and a car manufacturer could be *owned* by both parties. If the Force or Police Authority had sole rights it could license the training through other outlets thus creating a further source of income.

6.3.5.5 The complex nature of IPR makes it advisable to seek professional/legal advice on the subject before commencing exploitation of any asset.

### 6.3.6 Video Clip Sales

6.3.6.1 Forces make available a wide range of police material to the news media. When possible, Forces should seek to maximise the commercial potential of such material. Areas that may be particularly appropriate for this include:

- Use of material that is no longer current news but was subject to intense media interest at the time.
- Programmes regarding historical incidents no longer directly relevant to Force priorities.
- ‘Docu-dramas’, fictional dramas and other forms of *entertainment style* presentation.
- Programmes such as Police, Camera, Action.
- Programmes intended for broadcast or re-sale abroad.

6.3.6.2 There may be occasions when charging for material is inappropriate. These include:

- If material has been released as current news and falls within the Force news-broadcast ‘exclusivity’ time, or would still assist an active investigation, prevent crime or meet the original purpose for which it was released through press departments. Forces should give consideration to time constraints regarding the length of time material should be regarded as news.
- If the material will gain coverage of a successful or important area of Force work that failed to gain publicity as news or will highlight a particular problem or issue and in doing so contribute to meeting publicity and policing objectives.
- If the Force press department would decline to release material for use.
- If the Force would be morally or ethically compromised by requesting payment or if the material is unsuitable for release into the public domain.
- If the material would compromise an ongoing investigation or court case, or may compromise future operations through description of procedure, equipment or other sensitive items.

- If the material would be detrimental to the aims of the Force.

### **6.3.7 Filming**

6.3.7.1 Some Forces generate income through allowing the use of police premises and operational activities for films and documentaries or the provision of police staff or officers to assist with such filming. There is a legislative restriction on closing roads to assist with filming.

### **6.3.8 Merchandising**

6.3.8.1 Merchandising is the use and promotion of a Force logo or campaign image or brand (e.g. Think! for the national road safety campaign) on products that have been created. Forces often use merchandising such as pens, flags and key-fobs to promote individual initiatives and recruitment, however a more diverse range of material can be created for additional benefit.

### **6.3.9 Case Studies**

- North Wales Police has established a successful trading operation providing driver training. Driver training is marketed to other police forces, related civil service departments and private sector clients. The project has led to plans to extend the same approach to utilising capacity and exploiting excellence within the firearms range.

*Contact: North Wales Police.*

- Key Holder Databases – Surrey Police has developed a fully interactive web based system for key holder retention, which is available to all UK police forces. SurPol has been noted by HMIC as good practice in community policing and has been used by other forces. A percentage of the money generated is put back into community policing. Surrey Police also annually donate a fixed sum from each registration fee to Neighbourhood Watch.

*Contact: Surrey Police.*

## **6.4 Process**

### **6.4.1 Internal Awareness of Assets**

6.4.1.1 Research within a Force can be used to identify:

- What existing resources, assets, spare capacity and expertise can be utilised for commercial gain.
- Whether there would be additional costs associated with marketing and delivering the asset.
- Whether these resources are available and/if their use would be acceptable to the Force.

## **6.5 Link to Annual Policing Plans & Strategic Aims**

6.5.1 All income generation activities should support national and local policing plans and enhance local service delivery.

6.5.2 When developing any campaign, initiative, training course or product for internal use, it is useful to examine the external opportunities and include those in the wider development strategy.

### **6.5.3 Identify the Market**

6.5.3.1 Research might be undertaken to establish whether there is a need for the service/ resource that the Force has available. (For example could personal protection training be offered to NHS staff?)

### **6.5.4 Project Development and Management**

6.5.4.1 Once a Force has decided to proceed with a project, it may be appropriate to set up a formal project board and follow project management guidelines. Forces have policies and procedures on project development and management and these should be read in conjunction with the advice in this guide (see section on Project Management).

### **6.5.5 Benefits**

6.5.5.1 The benefits of developing internal working relationships and partnership links with external organisations and agencies stretch beyond the singular provision of funding support. They include:

- Networking opportunities at little or no cost to the Force (conferences/ seminars)
- Wider awareness of Force brand or initiatives (merchandising)
- Additional income available to develop courses (sale of training)
- Development of opportunities through interaction with other organisations (sale of training)
- Additional financial resources to develop relevant crime reduction initiatives and partnerships (video clip sales)

6.5.5.2 The reciprocal benefits to any clients or partners include:

- The marketing, promotion and sales opportunities provided by association with the police
- The association with Forces who are widely respected as providers of services and products, some of which are unique

## **6.6 Ethics, Legalities and Public Relations**

6.6.1 It is imperative that every interaction undertaken with third parties is ethical and legal.

### **6.6.2 Legal Considerations**

6.6.2.1 Both the Police Act 1996 and Common Law hold that operational policing must be free of charge at the point of use and that no charge can be levied on anyone for normal police work. However there is no statutory or other accepted legal definition of 'operational policing' and as a consequence, there is also no agreed definition of what might not come within operational policing and be the subject of a charge.

6.6.2.2 As a rule of thumb, if a force provides a service which is not strictly police requisite i.e. it could be provided by others, then this would not be a Special Police Service (dealt with in the next chapter: Section 25 Police Act 1996 – Special Police Services) or an operational policing service, but still a service within police powers, and one for which it could charge. A classic example would be high level driving instruction, anger management or crowd control training.

6.6.2.3 It is imperative that all activity is undertaken with strict adherence to all other relevant statute that could influence the activity, e.g. Health and Safety, Human Rights, Data Protection. (See Legislation section for guidance)

### **6.6.3 Working with Customers**

6.6.3.1 It is very important to understand and manage customer needs. Actions that can be taken to inform this include:

- Customer Relationship Management (CRM)
- Clear and concise written agreements (Contracts, Heads of Agreement, Memorandum of Understanding, etc.)
- Regular communication and feedback
- Follow-up interview or questionnaire
- Adjustment of services provided
- Information about new services or products



# Section 7 – 1996 Police Act – Section 25 Special Police Services

## 7.1 ACPO / APA Guidance

7.1.1 Section 25 of The Police Act 1996 states “The Chief Officer of Police of a Police Force may provide, at the request of any person, special police services at any premises or in any locality in the police area for which the Force is maintained, subject to the payment to the Police Authority of charges on such scales as may be determined by that Authority.”

7.1.2 ACPO produced in 2005, guidance on charging for police services in 2005 entitled ‘Guidance on Charging for Police Services’).

7.1.3 The current ACPO Guidance on Charging for Police Services is undergoing extensive revision<sup>4</sup>, with the intention of producing joint APA/ACPO guidance. Practitioners should consult the latest draft via the ACPO website together with interim guidance for police authorities circulated by the APA.

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<sup>4</sup> The initial drafts of this revision is known as *‘Paying the Bill’*

# Section 8 – Project Management, Evaluation & Measurement

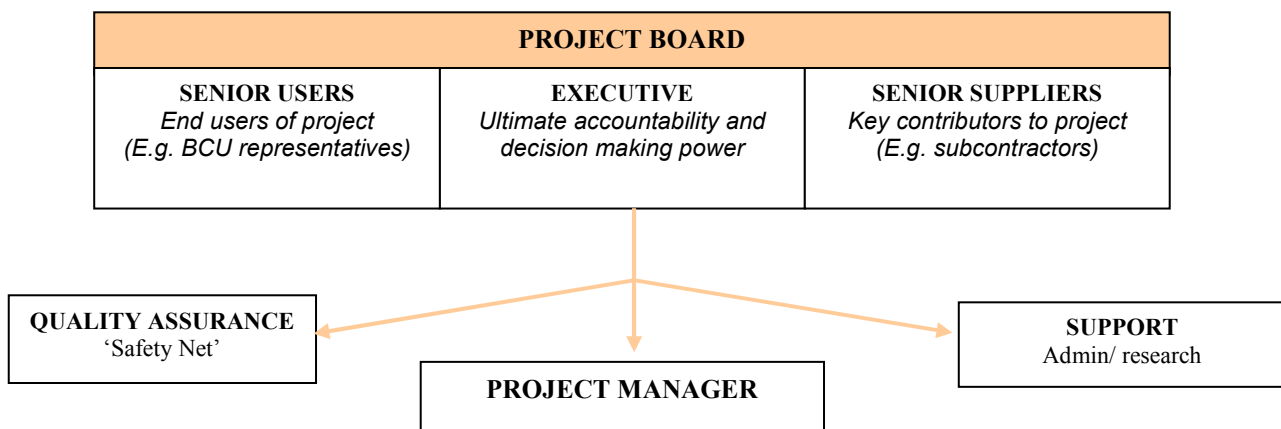
## 8.1 Project Management

8.1.1 Whatever the nature of the activity, project or initiative embarked upon it is essential that management and evaluation are properly conducted. This section provides guidelines for both.

8.1.2 Police forces will all use different models and forms of Project Management but the principles are similar and should be used to manage the life of all projects, large or small.

### 8.1.3 Roles and Responsibilities

8.1.3.2 The diagram below provides an example of the structure you should set up for projects.



*Diagram taken from the Prince 2 Project Management Methodology*

### 8.1.4 Business Case

8.1.4.1 The business case is a key element within the process of seeking external funding. It acts as the justification for the project, demonstrates strategic links with local and national priorities and will form the basis for the bid. Many police forces use forms for officers to use to describe their project prior to funding being sought – this effectively is a business case and will evolve throughout the life of the project. It is certainly wise to establish a process to establish a business case at the earliest opportunity through the use of templates, a project database or a similar system. This will ensure that resources and time is being used to effectively drive the priorities of the organisation.

### 8.1.5 Risk Analysis

8.1.5.1 Risk is an inevitable part of a new project and must be considered when considering external funding. Consequences of not assessing risk can be disastrous with funding being withdrawn or claimed back in extreme circumstances where a risk has become reality and affected the success, scope or results of a project. However it is important to realise that risk management is not just about minimising risk but is also about seizing opportunities in a constructive way.

8.1.5.2 Every organisation will have its own processes to assess and deal with risks. However the best way to deal with risk in a funding environment is to simply list any risks you can foresee and decide whether they are a:

- **Project risk** – could have consequences for the project;
- **Business risk** – could have more far-reaching consequences for the organisation as a whole... these could include negative publicity, loss of investment or negative effect on the capacity to fulfil part of the core business.

8.1.5.3 Once you have highlighted the potential risks you should look at how you are going to manage and control them. However, never highlight too many risks - keep it simple!

8.1.5.4 Key to success in handling risks:

8.1.5.4.1 **Prioritisation** - ask the following:

- How severe is the risk? - *High, medium or low*
- How high is likely occurrence of risk? - *High, medium or low*

The use of a matrix can help to identify high severity/high occurrence risks upon which to focus.

**8.1.5.4.2 Management** - Consider possible countermeasures such as:

- Taking action to prevent high impact risks altogether
- Reducing the possibility or impact of the risk (e.g. if delays in recruiting staff is a risk of short duration consider budgeting for a higher salary or bonus in the bid)
- Transferring risk to others (e.g. take out insurance, sub-contract activities)
- Preparing contingency plans (e.g. add 10% allowance to budgets for quotation errors)
- Accepting risk that are both low impact and low probability

**8.1.5.4.3 Monitoring** - maintain awareness of ongoing activity by:

- Assigning an 'owner' to each area of potential risk who will assume responsibility for monitoring and control
- Creating action plans for high probability and high impact risks
- Reviewing risks regularly
- Making risk management an agenda item for project board meetings

## **8.1.6 Communication**

8.1.6.1 It is important to establish and document how and when members of the Project Board/Steering Group and any other interested parties will be informed about developments in the project. Accessing external funding can be a long process and it is important to maintain interest and enthusiasm from the moment the money is received. Also try and schedule key meeting throughout the life of the project, which coincide with key decision points.

## **8.1.7 Capacity for Delivery**

8.1.7.1 A successful bid or sponsorship proposal will form part of the agreement/contract (or Conditions of Grant) between the force and the funding body and the force will be obligated to try and achieve the objectives, targets, timescales and budgets set out within the proposal. Inaccuracy, lack of thought or manipulation of the project to fit specific grant criteria can mean these are unachievable and could lead to:

- Failure of the project
- Reclamation of the funding
- Negative publicity

8.1.7.2 To avoid these consequences make sure that:

- Objectives are SMART (Specific, Measurable, Achievable, Realistic and Timely);
- Finances are realistic
- The time-scale accounts for possible delays in set-up or recruiting
- Roles and accountabilities have been determined

8.1.7.3 When funding is awarded, it is important to note that you are not obliged to accept it. Given that bidding processes can be long and drawn out, it is worth reassessing whether the project still meets organisational priorities and whether the timescale and budget is still realistic before committing to it.

## **8.1.8 Costs and Costing**

8.1.8.1 Costing projects at bidding stage can be difficult and time consuming depending on how much information the funding body requires.

8.1.8.2 The key really is to look carefully at eligible costs and funding criteria and to consult your Finance Department. Some funding opportunities will only award capital grants, others will only cover staffing costs. If you are in the lucky position to have very flexible criteria you should consider the following issues:

- **Full cost recovery vs. actual additional expenditure** – Budgetary considerations will be dependant on grant criteria and organisational procedure and needs. Some organisations will base budgets on full cost recovery, which means that they include a proportion of overheads, utilities, insurance, depreciation etc. Other organisations will only claim actual additional expenditure incurred by the project.
- **Sub-contracting** – Subcontracting can be the preferred option for project delivery for efficiency and capacity reasons. However budgets created for grant applications will need to be prepared on a full cost recovery basis to allow for the fact that subcontractors will be seeking full cost recovery within their tenders.
- **Match funding** – For most grants, match funding, whether it is cash or in-kind, should represent additional resources or a change of use of existing resources. It is not ethical for example, to include the salary of an existing member of staff as match funding if they will be taking on no extra hours or responsibilities. Evidence of match funding contributions will often be required for audit purposes.
- **Salaries**
  - o Scale/level – does it reflect market value of post and is it in-line with organisational pay scales? Remember to check whether post-holders may be entitled to annual increments in addition to inflation related rises.
  - o On-costs – include National Insurance, pensions and shift allowances where appropriate. Finance Departments can cost this or advise on the formula to use.
- **Other costs**
  - o Inflation – projects over a number of years should account for this usually adding a cumulative increase of the organisations’ projected rate of inflation (always declare what figure is being used). Bear in mind that inflationary increases are not always in April and this may need to be accounted for within the budget.
  - o Hidden costs – a decision will need to be made about whether the costs of recruitment, training, stationery and postage etc. will be absorbed (and therefore accounted for) or funded through the grant application.
  - o VAT – seek specific advice from local/regional VAT office
  - o Maintenance – If you have purchased a vehicle consider allowing for future maintenance costs, modifications and insurance.
  - o Project Management – the cost of overseeing the project, which might include some Income Generation Officer time!

8.1.8.3 Be as descriptive as possible about where the figures in the budget come from and how costs have been calculated. The following excerpt provides the type of detail that should be provided:

<u>Expenditure 2009/10</u>	<u>Cost</u>
Full Time Scheme Manager (5 months @ £17.35 per hour)	£11,750
Purchase of mobile phones (3 x £100)	£300
Staff Mileage (1250 miles @ 0.40 pence per mile)	£500

### 8.1.9 Sustainability and Exit Strategy: Events after Funding Ends

8.1.9.1 External funding is often used to pump-prime a project or allow the development of something new with little or no risk. Very rarely does it offer a long-term solution to a problem. Yet the majority of bids submitted to funding bodies revolve around an attempt to increase the capacity of the organisation by employing more people. After the funding period ends the costs of these salaries must be absorbed by the organisation or the roles will cease to exist. Decisions and contingency plans should be made at the earliest opportunity to ensure that the staff involved can plan for their futures.

8.1.9.2 The exit strategy is an often-overlooked part of project management and bid/proposal writing but is vitally important to both the success of the project and potentially to the success of the search for external funding.

8.1.9.3 With grants, it is not enough to state an intention to look for further funding to ensure sustainability of the project. Detail should be given about the nature of any proposals and the likelihood of success and contingency plans downsize or end the project if required. It is especially important to demonstrate that even if the project cannot be sustained indefinitely the benefits resulting from the period of funding would be considerable and worthwhile.

8.1.9.4 Potential benefits could include:

- Research that can be used to develop future projects or that could be effectively disseminated
- Long-term effects on project beneficiaries (e.g. a youth intervention project could enable young people to improve their outlook and prospects)
- Publicity

### **8.1.10 Monitoring and Evaluation**

8.1.10.1 This should be carefully considered in any funding proposal and should be detailed, practical and include the following issues:

- Data sources referred to are available and accessible
- Statistics and figures that will be monitored are already regularly collected or are easy to obtain *or* that provision is made for the development of new sources
- Data protection issues are considered
- Protocols are in place to govern data sharing with other agencies
- Quantitative *and* qualitative data is utilised (if appropriate)

8.1.10.2 Mechanisms for evaluating the project must be set up as early as possible and details should be included in bids and proposals – see below. Evaluation will show that money has been well spent and future dissemination will allow other agencies to benefit from the results of your project.

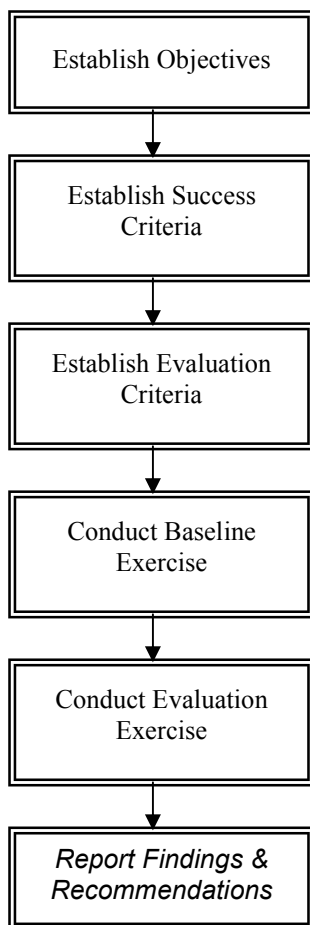
8.1.10.3 It is worth making allowance in the original budget to commission an external evaluator; this will save time and effort and also provide clear evidence of project success (or failure). This is invaluable information when trying to obtain continuation funding.

## **8.2 Evaluation**

### **8.2.1 Primary Principles**

8.2.1.1 Whatever evaluation is being conducted, the principles remain the same.

## Evaluation Flowchart



## Setting Objectives

Any project, process or product should have clearly defined objectives, e.g. 'the product will do...'

## Success Criteria

Success criteria describe the tangible outcomes that are expected of the project, process or product. Where objectives describe 'What the product will do', the success criteria describe 'By how much'. Wherever possible, success criteria must provide elements of the project, process or product that are specific and measurable.

## Evaluation Criteria

Evaluation criteria are derived directly from the objectives and success criteria and describe:  
What will be analysed  
How the analysis will be conducted  
When the analysis will be conducted  
Sample size

## The Significance of Base-lining

The importance of a baseline cannot be stressed enough. The baseline should be established prior to the implementation of the project, process or product, and used in order that a 'like for like' comparison can be obtained.

## 8.2 Measuring Success

8.2.1 It is vital that when 'success' is recorded that credit is given appropriately, this includes individuals and other agencies. The following should also be considered:

- Are we measuring success against the critical success factors established at the beginning of the project?
- Additional cash resources paid directly into force budget
- Additional cash resources paid to partner agencies where the police played a major role in the bidding process and which will contribute to delivering police objectives
- Additional 'in kind' resources provided for the force that will contribute to the delivery of police objectives
- New partnerships and/or networks that will improve the efficiency of service delivery and contribute to achieving police objectives
- Projects where the police agenda has influenced the purpose or focus of a bid

8.2.2 Recording levels of all 'added value' is also a primary factor in any successful income generation initiative. This is particularly the case with multi-agency partnership activity where grants have been awarded as perceptions of additional value vary considerably.

## 8.3 What is Added Value?

8.3.1 In essence, funders want to be sure that their grant will make a difference, *adding* to what is already in place. This can be illustrated within a bid in various ways:

**8.3.1.1 Additionality:** This can demonstrate that the whole is greater than the sum of its parts. For example: One partner may be bidding to set up leisure facilities for young people and another partner bidding to employ youth workers for the same young people. If these two bids were linked they could still offer:

- The leisure facilities
- The youth workers

However both would also be able to offer the additional value being the prospect of getting the young people to use the leisure facilities through a focused and joined up approach to service delivery.

**8.3.1.2 Simple Cost Benefit Analysis:** This is where contrasts are made between the cost of the project with the potential benefits which otherwise might not be achieved. Costs of the project not being carried out. If accurate figures are not available, it is possible to list the types of costs that might otherwise be incurred.

**8.3.1.3 Cost Benefit Analysis:** Contrasting the cost of the project with its potential benefits can show that an expensive project can have high returns making the project worth doing or that an inexpensive project has negligible benefits which may lead to the project being abandoned. For example, a partnership mediation service project could initially appear to have high costs. However these costs would need to be contrasted with the following range of benefits to ascertain the added value of the project:

- Benefits to Police
  - o Less frequent calls to attend to disputes between neighbours
  - o Reduction in complaints of anti-social behaviour
- Benefits to Housing Department or Association
  - o Less complaints to deal with
  - o Reduction in number of eviction processes
- Benefits to Education
  - o Less disputes between pupils
  - o Reduction in number of exclusions

**8.3.1.4 Match funding** - Money that has already been acquired or has been committed by the project partners for use on the project. This can be attractive to funders – they can see that all the benefits of the project will be achieved, without them having to fund the total cost.

# Section 9 – Legislation

## 9.1 Introduction

9.1.1 This section is concerned with the legislation underpinning the four primary areas of income generation activity: Bids & Grants, Charitable Trusts (and associated companies), Income Generation, and Sponsorship. It concentrates on three broad legislative themes considered to have the greatest likelihood of impacting upon income generation activity.

9.1.2 Note: This section is intended to provide a broad overview and, as such, contains no reference to legal precedent etc. It is further stressed that nothing within the section should be taken to be authoritative legal guidance – it is more an attempt to highlight areas where practitioners should have an awareness of the legal issues behind the activities in which they participate. Clearly, there can be no substitute for reading the judgements handed down in individual cases and no better advice than to seek the reassurance of current legal opinion for all issues as they arise. In particular advice should always be sought from, and an on-going relationship developed with, the Force Legal Services Section.

9.1.3 The two broad legislative themes considered are:

- **Local Government Legislation.** This covers legislation that either has, or is likely to have, significant impact on Local Authorities, Best Value Authorities, and Police Authorities.
- **The Police Act 1996.** This covers the specific sections of the Police Act 1996 that empower police forces in England & Wales to conduct PolFIG activities.

## 9.2 Local Government Legislation

### 9.2.1 Freedom of Information Act 2000

9.2.1.1 The Freedom of Information Act 2000 provides a right of access to recorded information held by public authorities, it creates exemptions from the duty to disclose information and it establishes the arrangements for enforcement and appeal.

9.2.1.2 Section 1 states:

*1.(1) Any person making a request for information to a public authority is entitled:-*

- (a) to be informed in writing by the public authority whether it holds information of the description specified in the request, and*
- (b) if that is the case, to have that information communicated to him.*

*1.(2) Subsection (1) has effect subject to the following provisions of this section and to the provisions of Section 2, 9, 12 and 14.*

*1.(3) Where a public authority:-*

- (a) reasonably requires further information in order to identify and locate the information requested, and*
- (b) has informed the applicant of that requirement,*

*the authority is not obliged to comply with subsection (1) unless it is supplied with that further information.*

9.2.1.3 Section 8 lays down the conditions, which must be fulfilled for a request for information to be dealt with. The request must be in writing stating the name of the applicant and an address for correspondence and describe the information requested.



9.2.1.4 If the estimate of cost to provide the information exceeds the current threshold of £450, the authority may refuse the request on the grounds of cost. The cost of a request is calculated from the cost of finding, sorting, editing or redacting, but also the printing, photocopying, packaging and posting. A generic value of £25 per hour is used for calculation purposes. If the estimate does not exceed the threshold, the authority may not pass on the marginal cost to the applicant.

9.2.1.5 Section 9 makes provision for authorities to notify applicants that a fee is payable and exempts authorities from being obliged to disclose information until the fee has been paid. The applicant will have 60 working days from the date of notification to pay the fee, before their request lapses.

9.2.1.6 Section 13 provides that public authorities may, at their discretion, respond to a request and charge an appropriate fee where the cost of compliance with a request for disclosure exceeds the appropriate limit as laid down in Section 12.

9.2.1.7 ACPO has released a National FOI Manual of Guidance, available at [www.acpo.police.uk](http://www.acpo.police.uk).

## **9.2.2 Data Protection Act 1998**

9.2.2.1 Section 7 Part II of the Data Protection Act 1998 provides the right of access to personal data by data subjects and others. It provides that an individual is entitled to be informed by any data controller, whether personal data of which that individual is the data subject is being processed, and to be given a description of the personal data, told the purposes for which it is being processed, and the recipients or classes of recipients to whom it may be disclosed. The data controller is only obliged to supply the information if the request is in writing and the fee has been paid. The Data Protection (Subject Access) (Fees and Miscellaneous Provisions) Regulations 2000 limits the maximum fee, which may be required by the data controller to £10.

## **9.2.3 Re-use of Public Sector Information Regulations 2005**

9.2.3.1 The Regulations outline rights and restrictions relating to the use of documents held by a public sector body by a person for a purpose other than the initial purpose for which that document was produced. The Regulations allow public bodies to charge for allowing re-use, outlined in Section 15.

## **9.2.4 Local Authorities (Goods and Services) Act 1970 and Police Act 1996**

9.2.4.1 The Local Authorities (Goods and Services) Act 1970 Section 1 allows a Local Authority and any public body (the Police being a public body) to enter into an agreement together for the following purposes:

- The supply by the authority to the body of any goods or materials
- The provision by the authority for the body of any administrative, professional or technical services
- The use by the body of any vehicle, plant or apparatus belonging to the authority and, without prejudice to paragraph (2) above, the placing at the disposal of the body of the services of any person employed in connection with the vehicle or other property in question
- The carrying out by the authority of works of maintenance in connection with land or buildings for the maintenance of which the body is responsible

9.2.4.2 What Section 1 doesn't allow an authority to do is to construct any buildings or works or to be supplied with any property or provided with any service except for the purposes of functions conferred on the authority otherwise than by the Act.

9.2.4.3 The Act allows for appropriate payment.

9.2.4.4 Section 18 of the Police Act 1996 provides that the above section of the Local Authorities (Goods and Services) Act 1970, shall apply to Police Authorities including the Metropolitan Police Authority, as they apply to a local authority, except that where it refers to a public body it should be amended to read any person. Therefore, a police authority can do any of 1 to 4 above with any person.

## 9.2.5 Local Government Act 2003

9.2.5.1 The Local Government Act 2003, Part Eight, Chapter One outlines the power to charge for discretionary services. As a best value authority Police Authorities are covered by much of the legislation. However it is important to note that they are specifically excluded from certain sections which provide Authorities with the power to trade in function-related activities through a company established for this purpose.

## 9.3 The Police Act 1996

### 9.3.1 Introduction

9.3.1.1 The majority of income generation activity is covered by the Police Act 1996. This Act received Royal Assent on 22 May 1996 and served to consolidate the following legislation:

- The Police Act 1964
- The Police Act 1972
- The Police Negotiating Board Act 1980
- The Police and Criminal Evidence Act 1984 (Part IX sections 106 and 112)
- The Police Officers (Central Service) Act 1989 (sections 1 and 3)
- The Police and Magistrates Court Act 1994 (Part 1 Chapter 1 and part of Chapter 11)
- The Criminal Justice and Public Order Act 1994 (sections 141 and 160(1))

9.3.1.2 The Police Act 1996 has been subsequently been amended by numerous Acts of Parliament and Statutory Instruments including the Police Reform Act 2002 and Policing and Crime Act 2009.

9.3.1.3 The following covers the specific sections of the Police Act 1996 that empower police forces in England & Wales to conduct income generation activities

### 9.3.2 Section 18: Supply of Goods and Services

9.3.2.1 The supply of Goods and Services is considered in Section 18 of The Police Act 1996 where applicability to the police service is made by reference to subsections (1) to (3) of Section 1 of the Local Authorities (Goods and Services) Act 1970 (c39). Within Section 18 of The Police Act 1996 there is a qualification that the application of LAGSA 1970 in respect of a “public body” shall be read as a reference to “any person”. Thus, the modification of LAGSA 1970 can be interpreted as (modified words in italics):

#### SUPPLY OF GOODS AND SERVICES BY POLICE AUTHORITIES

(1) Subject to the provisions of this section, a *police* authority and *any person* within the meaning of this section may enter into an agreement for all or any of the following purposes, that is to say –

- (a) the supply by the *police* authority to *any person* of any goods or materials
- (b) the provision by the *police* authority for *any person* of any administrative, professional or technical services
- (c) the use by *any person* of any vehicle, plant or apparatus belonging to the *police* authority and, without prejudice to paragraph (b) above, the placing at the disposal of *any person* of the services of any person employed in connection with the vehicle or other property in question
- (d) the carrying out by the *police* authority of works of maintenance in connection with land or buildings for which *any person* is responsible

and a *police* authority may purchase and store any goods or materials, which in their opinion they may require for the purposes of paragraph (a) of this subsection

(2) Nothing in paragraphs (a) to (c) of the preceding subsection authorises a *police* authority -

- (a) to construct any buildings or works; or
- (b) to be supplied with any property or provided with any service except for the purposes of functions conferred on the *police* authority otherwise than by this Act.

(3) any agreement made in pursuance of subsection (1) of this section may contain such terms as to payment or otherwise as the parties consider appropriate.

### 9.3.3 Section 24: Aid of one Police Force by Another

9.3.3.1 ACPO has issued guidance in the form of the ACPO Guidance on Charging for Police Services – Mutual Aid Cost Recovery which is available at [www.acpo.police.uk](http://www.acpo.police.uk).

### 9.3.4 Section 25: Provision of Special Services

9.3.4.1 The concept of charging for police services dates back to the 19<sup>th</sup> century. This area of legislation has caused the most debate as to how the wording of the Act is to be interpreted and the practice of charging for special police services has been considered at length in two legal cases :

- *Harris v Sheffield United Football Club* (hereinafter “Harris”) in the 1980s
- *Glasbrook Brothers Limited v Glamorgan County Council* (hereinafter “Glasbrook”) in the 1920s

9.3.4.2 The provision of special services was first covered in Statute by Section 16 of the Police Act 1964 Act; however, the wording of that section was carried forward, without amendment, to Section 25 of the Police Act 1996. It consists of subsection (1) - subsection (2) having been repealed by the Greater London Authority Act 1999:

“(1) The chief officer of police of a police force may provide, at the request of any person, special police services at any premises or in any location in the police area for which the force is maintained, subject to the payment to the police authority of charges on such scales as may be determined by that authority.”

9.3.4.3 From this piece of legislation the following issues have arisen:

- The meaning of ‘special police services’
- The meaning of ‘in any location’
- The basis upon which to calculate the ‘charges on such scales as ...’

Each of these issues is considered below, referring to *Harris* and *Glasbrook* respectively.

#### 9.3.4.3.1 “special police services”

9.3.4.3.1.1 It should be noted that ‘special police services’ was considered at length in *Harris* and there can be no substitute for referring to the full dicta of Neill and Balcombe LJ.

9.3.4.3.1.2 However, from their Lordships judgement a number of points appear to be clarified or supported concerning the entitlement of a police authority to charge for ‘special police services’. Whilst this entitlement would depend on the circumstances of each individual case, it would appear that

- a) if the police presence was at private premises it would *prima facie* constitute the provision of ‘special police services’
- b) where violence or some other emergency had already occurred or was imminent, these circumstances would be unlikely to constitute the grounds for the provision of ‘special police services’
- c) the nature of the event, whether such events are regularly staged, and if so whether they are staged at a time, e.g. weekends, when police resources would be strained
- d) the number of police required to police the event might feature in deciding whether the entitlement existed, or not.

#### 9.3.4.3.2 “in any location”

9.3.4.3.2.1 Whilst remaining an area that appears to require clarification there is some dicta within *Harris* that might assist. Balcombe LJ said,

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“It is, however, noteworthy that during the course of the *Glasbrook* case there were several references to policing of the kind which is in issue in the present case as being an example of the kind of ‘special’ service for which payment could be required. Thus Viscount Cave LC said:

“Instances are the lending of constables on the occasions of large gatherings in and outside private premises, as on the occasions of weddings, athletic or boxing contests or race meetings, and the provision of constables at large railway stations.”

9.3.4.3.2.2 Neill LJ, sitting in the same case, also cited the *Glasbrook* case:

“The practice was also noted without disapproval by Scrutton LJ in the same case in the Court of Appeal, where he said:

“Instances are where valuable property is temporarily and temptingly exposed to mixed assemblies, as at weddings,... or sales or bazaars; or where assemblies are likely to produce disorder, as at races, or football meetings, or to regulate traffic to private festivities, such as dances” .

9.3.4.3.2.3 In *Harris*, Neill LJ described the policing operation in the words of Boreham J from whose judgement the appeal was lodged in the Court of Appeal:

“To achieve this, the police have mounted a combined operation at all home matches, between the officers on duty outside the ground and those on duty inside. Firstly, the club supporters are admitted through particular turnstiles to terracing at the end of the ground known as the Kop. Secondly, the visiting supporters are met at the railway station or their coach parks and escorted to turnstiles at the opposite end of the ground. At the turnstiles they are relieved of alcohol and containers, such as bottles and glasses; those already under the influence of alcohol are refused admittance. The remainder are then admitted to the ... terraces and there overseen by uniformed officers. Their duty is to prevent or deter provocative, disruptive or violent behaviour ... The final phase of the operation comes at the end of the game, when the visiting supporters are held on the terraces whilst the home supporters disperse. They are then escorted by the police officers outside the ground back to the railway station or their car parks.”

9.3.4.3.2.4 Forces should also be aware of the Court of Appeal case *West Yorkshire Police Authority v Reading Festival Ltd* (2006) which centred on whether the music festival organiser had made a request for special police services and whether the services provided were special police services. On the first issue the High Court judges’ conclusion that no agreement had been reached meant that the claim was bound to fail because it was very hard to see how section 25(1) could operate without a contract. Secondly, the Authority had not provided Special Police Services in the particular circumstances. Officers had been based in the surrounding community ready to be called on if the festival organiser’s onsite arrangements proved to be inadequate.

9.3.4.3.2.5 In conclusion, it would, therefore, appear that there is some argument for an interpretation of “in any location” to encompass an area, or areas, beyond the confines of the border of any private property. [cf. the phrases “outside private premises” (Viscount Cave LC) and “visiting supporters are met at the railway station or their coach parks and escorted to turnstiles ... They are then escorted by the police officers outside the ground back to the railway station or their car parks.” (Neill LJ, in the words of Boreham J)].

### **9.3.4.3.3 The basis upon which to calculate the “charges on such scales as ...”**

9.3.4.3.3.1 It has been submitted that there are three bases of cost recovery:

- Direct Cost (the actual direct employable cost)
- Resource Cost (direct employable cost including direct associated overheads)
- Full Economic Cost (direct cost plus direct and indirect overheads)

9.3.4.3.3.2 Prior to 1964 there was no explicit authority that allowed the police service to charge for providing policing services. Section 16 (1) (e) of the Police Act 1890 said that “there shall be a pension fund of every police force, and there shall be carried to that fund -

(e) such proportion of any sum received on account of constables whose services have been lent in consideration of payment as the police authority may consider to be a fair contribution to the pension fund in respect of those constables; ...”

9.3.4.3.3 From this it can be deduced that charging for Police services was within the contemplation of those that drafted the legislation.

9.3.4.3.4 However, the Police Act 1890 was repealed by the Police Act 1964. There is no definitive indication to suggest that the pension costs are still to form a part of any sum received; but, conversely, there is no definitive indication to think otherwise. Assuming that nothing has changed to fundamentally change the original premise of 1890, then the use of direct cost would be inappropriate.

9.3.4.4 ACPO has issued guidance on recovering costs involved with Football events in the form of the ACPO Guidance for Football Deployment and Cost Recovery, which is available at [www.acpo.police.uk](http://www.acpo.police.uk).

#### **Summary of this section:**

- A request for policing at private premises is ‘special police services’
- If violence or some other emergency is imminent, or has already occurred, then ‘special police services’ will not apply
- Whether the event is singular or part of a series and held at a time that puts strain on police resources has a bearing, as does the number of police involved

#### **The types of event likely to attract “special police services” are:**

- Large gatherings in and outside private premises
- Where valuable property is exposed to mixed assemblies
- Private festivities, dances, weddings
- Athletic or race meetings, boxing contests or football matches

### ***9.3.5 Section 26: Advice and Assistance to International Organisations***

9.3.5.1 This section confers the power on police authorities for assistance to be given, and charged for, to “an international organisation or institution” or “to any other person or body” engaged in activities outside the UK that are similar to those carried on by the police in the UK. This includes police officers on temporary service (subsection 2) but does not include any financial assistance (subsection 5). The power should not be exercised without the consent, or a general authorisation, given by the Secretary for State (subsection 3).

### ***9.3.6 Section 92: Grants by Local Authorities***

9.3.6.1 This section allows councils to make grants to a police force that polices wholly or partially in their area. The grants may be conditional or unconditional. If they are conditional, then the Chief Officer of police needs to give their agreement.

### ***9.3.7 Section 93: Acceptance of Gifts, Loans and Sponsorship***

9.3.7.1 The acceptance of Gifts and Loans is covered by section 93(1) of the Police Act 1996 and the acceptance of Sponsorship is covered under section 93(2).

9.3.7.2 Gifts of money or other property may be accepted, on terms that appear appropriate to the police authority, in connection with the discharge of any of its functions. These gifts (subsection 2) may include terms providing for commercial sponsorship.

9.3.7.3 In appendix A of the Home Office publication “Financial Management Code of Practice”, Sponsorship is defined as “the voluntary provision to the police service of non-public funds, services, equipment or other resources.” The underpinning authority for this is 28C (1) of the Police and Magistrates Courts Act 1994, which states:

“The Secretary of State may issue codes of practice relating to the discharge by police authorities ... of any of their functions.”

## 9.4 Diversity Legislation

9.4.1 Police forces have a statutory duty to uphold the rights and customs of the diverse communities in which live within the United Kingdom. As income generation professionals, we need to be cognisant of the appropriate legislation and regulations that impact the execution of our duty. Any income generation function MUST support the diverse communities and not discriminate against any section within the community.

9.4.2 The particular acts and regulations include (but not limited to):

- Race Relations Act 1976
- Race Relations Amendment Act 2000
- Sex Discrimination Act 1975 (as amended)
- Disability Discrimination Act 1995 as amended in 2005
- Equality Act 2006
- Equality Act 2010
- Employment Act 1990
- Employment Equality Act 1998 as amended in 2004
- Employment Equality (Age) Regulation 2006
- Employment Equality (Religion or Belief) Regulations 2003 (Amended)
- Employment Equality (Sexual Orientation) Regulations 2003 (Amended)
- Employment Equality (Sex Discrimination) Regulation 2005
- Equality Act (Sexual Orientation) Regulations 2007 (the Regulations)
- Gender Recognition Act 2004
- Human Rights Act 1998
- The Duty to Promote Race Equality Code of Practice

9.4.3 This does not preclude a positive action to enhance particular representations or encourage fairness.

## 9.5 Seeking Legal Guidance

9.5.1 All forces will have access to legal services who can advise you on points of law. The website [www.opsi.gov.uk/acts](http://www.opsi.gov.uk/acts) is also a useful reference tool, including all legislation dating back to 1994.

## Section 10 – PolFIG Regional Contacts

<b>East</b>	<b>South East</b>
Bob Meadows 01234 842800 <a href="mailto:bob.meadows@bedfordshire.pnn.police.uk">bob.meadows@bedfordshire.pnn.police.uk</a>	Beau Fisk 01962 875071 <a href="mailto:beaumont.fisk@hampshire.pnn.police.uk">beaumont.fisk@hampshire.pnn.police.uk</a>
<b>South West</b>	<b>Midlands</b>
Tracey Clegg 01275 816583 <a href="mailto:tracey.clegg@avonandsomerset.pnn.police.uk">tracey.clegg@avonandsomerset.pnn.police.uk</a>	Ann Penfold 0845 113 5000 ext 7630 <a href="mailto:a.penfold@west-midlands.pnn.police.uk">a.penfold@west-midlands.pnn.police.uk</a>
<b>North East</b>	<b>North West</b>
Simon Nott 01609 789050 <a href="mailto:simon.nott@northyorkshire.pnn.police.uk">simon.nott@northyorkshire.pnn.police.uk</a>	Ronnie Webb 01772 412724 <a href="mailto:ronnie.webb@lancashire.pnn.police.uk">ronnie.webb@lancashire.pnn.police.uk</a>
<b>London</b>	<b>Wales</b>
Harvey Pitchford 0207 1611230 <a href="mailto:harvey.pitchford@met.pnn.police.uk">harvey.pitchford@met.pnn.police.uk</a>	Julie Hudson 01495 745592 <a href="mailto:julie.hudson@gwent.pnn.police.uk">julie.hudson@gwent.pnn.police.uk</a>
<b>Scotland</b>	<b>National</b>
Suzanne Niven 01415 322018 <a href="mailto:Suzanne.Niven@strathclyde.pnn.police.uk">Suzanne.Niven@strathclyde.pnn.police.uk</a>	Michael Chenery 0207 8876805 <a href="mailto:michael.chenery@btp.pnn.police.uk">michael.chenery@btp.pnn.police.uk</a>

# Section 11 – References

## 11.1 Legislation

[Police Act 1996](#) as amended  
[Police Act 1997](#)  
[Police and Criminal Evidence Act 1984](#)  
[Police Reform Act 2002](#)  
Police Property Act 1897 as amended  
[Police \(Property\) Regulations 1997](#)  
[Police and Fireman's Pension Act 1997](#)  
[Policing and Crime Act 2009 as amended](#)  
[Race Relations Act 1976](#)  
[Race Relations Amendment Act 2000](#)  
[Sex Discrimination Act 1975](#) (as amended)  
[Disability Discrimination Act 1995](#) as amended in [2005](#)  
[Equality Act 2006](#)  
[Equality Act 2010](#)  
[Employment Act 1990](#)  
Employment Equality Act 1998 as amended in 2004  
Employment Equality (Age) Regulation 2006 as amended in [2007](#)  
Employment Equality (Religion or Belief) Regulations 2003 (Amended)  
Employment Equality (Sexual Orientation) Regulations 2003 (Amended)  
Employment Equality (Sex Discrimination) Regulation 2005  
[Equality Act \(Sexual Orientation\) Regulations 2007](#) (the Regulations)  
[Gender Recognition Act 2004](#)  
[Human Rights Act 1998](#)  
The Duty to Promote Race Equality Code of Practice  
The Police Act 1964  
[The Police Act 1972](#)  
[The Railways and Transport Safety Act 2003](#)  
The Police Negotiating Board Act 1980  
The Police and Criminal Evidence Act 1984 (Part IX sections 106 and 112)  
[The Police Officers \(Central Service\) Act 1989](#) (sections 1 and 3)  
[The Police and Magistrates Court Act 1994](#) (Part 1 Chapter 1 and part of Chapter 11)  
[The Criminal Justice and Public Order Act 1994](#) (sections 141 and 160(1))  
Occupiers Liability Act 1957  
[Health and Safety at Work Act 1974](#)  
Management of Health & Safety at Work Regulations 1992  
Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 1995  
Schedule 1 to the Local Government (Miscellaneous Provisions) Act 1982  
Schedule 12 to the London Government Act 1963  
Local Government (Goods & Services) Act 1970  
[The Licensing Act 2003](#)  
Private Places of Entertainment (Licensing) Act 1967  
[The Public Entertainment Licence \(Drug Misuse\) Act 1997](#)  
[Freedom of Information Act 2000](#)  
[Data Protection Act 1998](#)  
[Bribery Act 2010](#)

## 11.2 Home Office Circulars

Home Office Circular N° 38/89 “Financial Arrangements for Mutual Aid”

## 11.3 Web Sites

Office of Public Sector Information  
[www.opsi.gov.uk](http://www.opsi.gov.uk)

The Big Lottery Fund

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[www.biglotteryfund.org.uk](http://www.biglotteryfund.org.uk)

Government and public sector news alerting service  
[www.wired-gov.uk](http://www.wired-gov.uk)

The Charity Commission  
[www.charity-commission.gov.uk](http://www.charity-commission.gov.uk)

UK National Statistics  
[www.statistics.gov.uk](http://www.statistics.gov.uk)

Communities and Local Government  
[www.communities.gov.uk](http://www.communities.gov.uk)

The Home Office  
[www.homeoffice.gov.uk](http://www.homeoffice.gov.uk)

Association of Chief Police Officers  
[www.acpo.police.uk](http://www.acpo.police.uk)

European Commission  
[http://europa.eu/index\\_en.htm](http://europa.eu/index_en.htm)

PolFIG Web Forum  
<http://forum.polfig.com>

# Appendix 'A' – ACPO WORKBOOK



## WORKBOOK FOR THE CREATION OF ACPO GUIDANCE/PRACTICE ADVICE

**No new work to develop Guidance etc. can be commenced unless a Workbook, with the first page completed and accompanied by a completed Appendix 'A' is first submitted, through the Head of the Business Area, to the ACPO Programme Support Office for approval. This workbook, with all sections completed, must be included in the final document as an Appendix and submitted, through the Head of the Business Area, to the Programme Support Office for quality assurance prior to submission to Cabinet for approval as ACPO Doctrine.**

### Title of Draft Guidance/Practice Advice Document

<b>ACPO GUIDE TO INCOME GENERATION FOR POLICE SERVICE IN ENGLAND, WALES AND NORTHERN IRELAND</b>
--

### ACPO Reference Number

Unique reference number:
--------------------------

### ACPO Commissioning

Name of ACPO Business Area:	FINANCE AND RESOURCES
Head of Business Area commissioning the work:	Chief Constable Grahame Maxwell
Date Originally Authorised:	28 <sup>th</sup> FEBRUARY 2008
Projected original date of completion:	28 <sup>th</sup> FEBRUARY 2008

### Person Completing Work Book

Name:	Force Address:
Bob MEADOWS	Bedfordshire Police
Email address:	Contact Tel. No:
bob.meadows@bedfordshire.pnn.polic e.uk	01234-842800

### Date the first page of this Workbook was completed and forwarded to the Programme Support Office:

16/05/2008
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### For ACPO use only

Date QA check completed:	
Date referred to HBA:	
Date Guidelines/Practice Advice signed off by HBA:	

SECTION A - FOR USE ONLY WHERE AN EXISTING GUIDANCE OR PRACTICE ADVICE  
DOCUMENT IS BEING AMENDED AS THE RESULT OF A REVIEW

A.1 Title of original document:

**ACPO GUIDE TO INCOME GENERATION FOR POLICE SERVICE IN  
ENGLAND, WALES AND NORTHERN IRELAND**

A.2 Date of publication of original document:

**26 March 2004**

**SECTION B – IMPACT UPON OTHER ACPO BUSINESS AREAS**

**B.1 Give details of the impact on/dependencies with other ACPO Business Areas and existing Guidance/Advice**

Revision to existing document, last updated in 2008. No dependencies

**If B.1 applies, please inform the relevant ACPO Policy Officer who will consult across other business areas**

**SECTION C - ACPO EQUALITY IMPACT ASSESSMENT TEMPLATE (DIVERSITY AUDIT)  
AS AGREED WITH THE CRE**

**C1. Identify all aims of the guidance/advice**

**C.1.1 Identify the aims and projected outcomes of the guidance/advice:**

The ACPO Guide to Income Generation guides Police Income Generation Officers and other responsible parties with the ACPO Police Forces in the execution of Bids and Grants, Sponsorship, Trading and Charitable Trusts.

**C.1.2 Which individuals and organisations are likely to have an interest in or likely to be affected by the proposal?**

All Police Forces and Police Authorities within England, Wales and Northern Ireland, Home Office, ACPO, ACPOS and APA.

**C2. Consider the evidence**

**C.2.1 What relevant quantitative data has been considered?**

The ACPO Guide to Income Generation has been reviewed and scrutinised by the Bedfordshire Police Diversity and Inclusion Advisor and considered fit for purpose.

Age	
Disability	
Gender	
Race	
Religion / Belief	
Sexual Orientation	

<b><u>C.2.2 What relevant qualitative information has been considered?</u></b>	
The ACPO Guide to Income Generation has been reviewed and scrutinised by the Bedfordshire Police Diversity and Inclusion Advisor and considered fit for purpose. Appropriate acts and regulations are identified in the specific section in the guide.	
Age	
Disability	
Gender	
Race	
Religion / Belief	
Sexual Orientation	
<b><u>C.2.3 What gaps in data/information were identified?</u></b>	
Age	None
Disability	None
Gender	None
Race	None
Religion / Belief	None
Sexual Orientation	None
<b><u>C.2.4 What consideration has been given to commissioning research?</u></b>	
It has been deemed that this document is guidance for force Income Generation policies and operations, thus those policies and procedures will be subject to the normal audits required before implementation.	
Age	
Disability	
Gender	
Race	
Religion / Belief	
Sexual Orientation	

### **C3. Assess likely impact**

<b><u>C.3.1 From the analysis of data and information has any potential for differential/adverse impact been identified?</u></b>	
Age	None
Disability	None
Gender	None
Race	None
Religion / Belief	None
Sexual Orientation	None
<b><u>C.3.2 If yes explain any intentional impact:</u></b>	
Age	
Disability	
Gender	
Race	
Religion / Belief	
Sexual Orientation	

<b>C.3.3 If yes explain what impact was discovered which you feel is justifiable in order to achieve the overall proposal aims. Please provide examples:</b>	
Age	None
Disability	None
Gender	None
Race	None
Religion / Belief	None
Sexual Orientation	None
<b>C.3.4 Are there any other factors that might help to explain differential /adverse impact?</b>	
Age	n/a
Disability	n/a
Gender	n/a
Race	n/a
Religion / Belief	n/a
Sexual Orientation	n/a

#### **C4. Consider alternatives**

<b>C.4.1 Summarise what changes have been made to the proposal to remove or reduce the potential for differential/adverse impact:</b>
Police forces in England, Wales and Northern Ireland have been consulted in the development of this national guide. Wording and content changes have been made as identified by reviewers and at least one Diversity and Inclusion specialist. Where appropriate legislation and regulations were not listed, these have been added.
<b>C.4.2 Summarise changes to the proposal to remove or reduce the potential for differential/adverse impact that were considered but not implemented and explain why this was the case:</b>
None
<b>C.4.3 If potential for differential/adverse impact remains explain why implementation is justifiable in order to meet the wider proposal aims:</b>
None

#### **C5. Consult formally**

<b>C.5.1 Has the proposal been subject to consultation? If no, please state why not. If yes, state which individuals and organisations were consulted and what form the consultation took:</b>	
Formal consultation has been undertaken with the APA, the local IAG, religious groups, Police Associations and Diversity and Inclusion specialist.	
Age	See above
Disability	See above
Gender	See above
Race	See above
Religion / Belief	See above
Sexual Orientation	See above

<b>C.5.2 What was the outcome of the consultation?</b>	
Age	Satisfactory
Disability	Satisfactory
Gender	Satisfactory
Race	Satisfactory
Religion / Belief	Satisfactory
Sexual Orientation	Satisfactory
<b>C.5.3 Has the proposal been reviewed and/or amended in light of the outcomes of consultation?</b>	
Yes	
<b>C.5.4 Have the results of the consultation been fed back to the consultees?</b>	
Yes.	

## **C6. Decide whether to adopt the proposal**

<b>C.6.1 Provide a statement outlining the findings of the impact assessment process. If the proposal has been identified as having a possibility to adversely impact upon diverse communities, the statement should include justification for the implementation:</b>
No negative effects have been identified that could have a negative effect on any of the 9 characteristics of diversity. Consideration has also been made of possible discrimination around socio-economic factors. Changes were made in areas that overlap with other Finance & Resources work being currently undertaken under the title 'Paying the Bill', previously known as 'ACPO Guidance on Charging for Police Services', Charging for Services – Football and Mutual Aid.

## **C7. Make Monitoring Arrangements**

<b>C.7.1 What consideration has been given to piloting the proposal?</b>
As this is an update to the original document, we are already using most of the guidance provided.
<b>C.7.2 What monitoring will be implemented at a national level by the proposal owning agency and/or other national agency?</b>
ACPO Lead for Income Generation and Cost Recovery will provide monitoring for this Guide.
<b>C.7.3 Is this proposal intended to be implemented by local agencies that have a statutory duty to impact assess policies? If so, what monitoring requirements are you placing on that agency?</b>
Any local implementation of guidance in local forces will be subject to the appropriate impact assessments before implementation.

## C8. Publish Assessment Results

### C.8.1 What form will the publication of the impact assessment take?

*It is recommended that for publication on the ACPO website, the impact assessment be attached to the completed document as the first appendix. On the ACPO Intranet, the whole workbook will be attached to assist in the preparation of local audits.*

## **SECTION D - HUMAN RIGHTS REVIEW**

### **D1. Does the proposal have significant human rights implications, either for the public or for the Police Service? Answer YES or NO:**

No

**If NO, go straight to Section E**

**If YES, answer the following questions and consider seeking legal advice**

#### **D.1.1. Who will be affected by this proposal?**

- *Consider not only the direct subject of the proposal, but also other people who may be affected (e.g. bystanders, victims, general public, police staff, subject's family)*

#### **D.1.2 Which of their rights are being protected?**

- *E.g. the right to life; right to security; freedom of belief, expression or assembly; right to family life; right to privacy; right to property*

#### **D.1.3 For each person or group of people, which of their Convention rights may the proposal potentially interfere with and how?**

- *E.g. right to life; prohibition of degrading treatment; right to liberty; right to fair trial; right to due process; right to privacy; freedom of belief, expression, assembly and association*

### **Answer the following questions in respect of each interference with a right.**

#### **D.1.4 Is the interference legal? Explain in full:**

- *e.g. European legislation, Act of Parliament, statutory instrument, statutory codes, common law*

#### **D.1.5. Is the interference necessary? Explain in full:**

- *It may for example be justified if it protects others' rights, e.g. right to life; right to security; freedom of belief, expression or assembly; right to family life; right to privacy; right to property*

- What "legitimate aims" under the Convention are being pursued in interfering with the right?

**D.1.6 Is the interference proportionate? Explain in full:**

- What practical alternative actions are available? Will any of these not interfere or interfere less with a right? If they will, why are they not being used?
- Is the interference the least intrusive means available?

**D.1.7 Having considered the above points, do you consider that the proposal -  
(a) Breaches a Convention right? YES or NO:**

**(b) Is vulnerable to challenge? YES or NO**

*Note: interference with a right does not equal a breach – if an interference is justified, there is no breach.*

**If the answer to (a) or (b) above is YES and you consider that there is a breach of a Convention right or that the proposal is vulnerable to challenge, seek legal advice.**

## SECTION E - DATA PROTECTION REVIEW

**E.1 Does this proposal relate in any way to the processing of personal data? Answer YES or NO. If NO, go straight to Section F.**

*If YES, outline how it complies with the Data Protection Act, listing the principles summarised below. The ACPO Data Protection and FOI Portfolio Group will provide assistance in identifying and addressing compliance:*

**The Principles:**

- a) Personal data shall be processed fairly and lawfully ...
- b) Personal data shall be obtained only for one or more lawful purposes ...
- c) Personal data shall be adequate, relevant and not excessive in relation to the purpose for which it is processed
- d) Personal data shall be accurate and, where necessary, kept up to date
- e) Personal data processed for any purpose shall not be kept longer than is necessary for that purpose
- f) Personal data shall be processed in accordance with the rights of data subjects under the Act
- g) Appropriate technical and organisational measures shall be taken against unauthorised or unlawful processing of personal data ...



h) *Personal data shall not be transferred to any country outside the European Economic Area (EEA) unless the country or territory ensures an adequate level of protection for the rights and freedoms of data subjects in relation to processing of personal data*

## SECTION F - HEALTH & SAFETY REVIEW

**F.1 Does this proposal have significant health and safety implications for the public or for police staff? Answer YES or NO.**

No

**If YES, answer questions F.2. & F.3. If NO, go straight to Section G1.**

**F.2 Explain how the risks to health and safety have been assessed and what control measures have been put in place:**

**F.3 What are the health and safety duties and who is responsible for them? Explain in full:**

## SECTION G - BUREAUCRACY REVIEW

**G.1 List the forms or databases that police staff will be required to complete as part of this proposal:**

None

**G.2 Give details of how you have reviewed the need for, content of and appropriateness of the forms or databases. Have you reduced their quantity or content?**

*Factors to consider:*

- *Whether the benefit of gathering the information exceeds the effort*
- *The cumulative impact – especially when there is repeated entry of the same information*
- *Retention period – is the information disposed of at the optimum time?*

The ACPO Income Generation Guide does not enforce and specific data collection, other than that already undertaken and required by other processes.

## SECTION H - FREEDOM OF INFORMATION REVIEW

**H.1 Is this reviewed proposal exempt from publication under the FOIA? Answer YES or NO:**

No

**IF NO, go straight to Section I. If YES, give full details of the exemptions that apply and the reasons for them at H.2.1 – 2.3 below:**

**H.2 Reasons for Non- or Partial Disclosure under Freedom of Information Act 2000**

**H.2.1 Is this document completely non-disclosable? Answer YES or NO**

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**H.2.2 If yes, why? Which exemptions apply?**

Section	Description and Type of Exemption	Evidence / Rationale for Application

**H.2.3 Is this document partially disclosable? Answer YES or NO**

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**H.2.4 If yes, which parts of the document are not disclosable and why? Which exemptions apply?**

Part of the Document	Section	Description and Type of Exemption	Evidence / Rationale for Application

**SECTION I – IMPLEMENTATION AND EVALUATION**

**I.1 Now that the audit is complete the Guidance/Advice document should be prepared for consideration by the Head of Business Area - either for approval and sign-off or, in some cases, referral to ACPO Cabinet or Council. Please follow the attached ACPO Practice Guidance/Advice Template.**

**I.2 Please ensure that a full consultation on the content of the final draft document is conducted with stakeholders, both internal and external and ensure that their views are fully considered. Please detail below the organisations/individuals consulted:**

All police forces in England, Wales and Northern Ireland.
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**I.3 Full consideration should be given to the following:**

- **Financial implications/benefits**
- **Resource implications/benefits**
- **Potential performance/service improvements**
- **Risks**
- **Learning requirement**

**Monitoring and Review**

**I.4 Detail below the on-going effects of this proposal:**

Consistency and guidance to all police forces under the umbrella of ACPO.

**I.5 How will it be monitored?**

Regular reviews will be held by the Police Finance and Income Generation (PolFIG) working group and reports made to ACPO Finance and Resources Committee for any changes.

**I.6 By whom?**

PolFIG – Police Forum for Income Generation

**I.7 At what intervals?**

At least bi-annually

**I.8 When is the next review of this proposal planned?**

*Note. Diversity Reviews are required at least every 3 years under the RRAA but this review is in relation to the ongoing relevance of the document. If you consider that an earlier review is needed, please give the reasons and explain what process is in place to prompt those in post at that time to conduct the review:*

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This Workbook must be attached to the completed Guidance/Advice document as Appendix, 'A' (or 'B' if existing guidance etc. is being amended) which must then be submitted, through the relevant ACPO head of business area, to the ACPO Programme Support Office by email, where it will undergo quality review prior to submission to the head of the business area for approval. Only then will it be put before the ACPO Cabinet for final approval.