



Business Interests and Additional Work Policy (Surrey and Sussex) (965/2024)

Abstract

This policy outlines the definition of a business interest, additional work, charity work, and the process by which it must be declared and the circumstances in which members of Surrey Police and Sussex Police may be prohibited from undertaking such activity and their responsibility to declare business interests in order that each Force can be satisfied that there is no conflict of interest.

Policy

1. Introduction

1.1 This policy has been produced in consultation with the College of Policing National Vetting Code of Practice (CoP) 2021 and the Authorised Professional Practice (APP) for vetting. It reflects the guidance and requirements as detailed in the 2012 National Police Chiefs Council (NPCC) Guidance and the Police Regulations 2020 as amended.

1.2 This policy is required to ensure police officers, Police Community Support Officers (PCSOs), and police staff understand what the definition is of a business interest, additional work, charity, or volunteer work, and the process of how to apply, restrictions and eligibility whilst employed as a member of Surrey Police or Sussex Police, hereafter referred to as the 'Forces'.

1.3 Police Support Volunteers and Special Constables are dealt with separately and must disclose their permanent job role during the recruitment process. Changes to a permanent job role must be disclosed to the Joint Force Vetting Unit (JFVU) using the Personal Circumstances form.

Special Constables.

Surrey, email volunteers.

Sussex, refer to Special Constabulary Policy (1122).

Police Support Volunteers.

Refer to the Police Support Volunteer Policy (Surrey and Sussex) (997).

1.4 An application for a business interest, additional work, charity, or volunteer work should only be granted if the Forces are satisfied that there are no issues likely to affect public trust and confidence or conflict with the applicant's job role, the Code of Ethics or standards of professional behaviour.

2. Scope

2.1 The procedures associated with this policy explain what a business interest is and what would constitute additional working (hereafter 'business interest'). It provides guidance to all individuals on how to apply for a business interest, the decision-making process and approval. There is also information on the appeal process in the event an application is rejected.

3. Policy Statement

3.1 The Forces will consider business interests with impartiality and in line with national guidance. We will continue to meet our responsibilities to provide an optimum service to the public we serve whilst protecting the safety and integrity of individuals who have or seek approval for a business interest. This policy and procedure are designed to promote consistent decision making in respect of those business interests which conflict with the work of the police and which will adversely affect the reputation of the individual, the Forces, and the wider Police Service.

Procedure

1. Definition of a Business Interest, Additional Work, Charity, and Volunteer Role

1.1 The Forces definition of a business interest is:-

A police officer, PCSO, police staff or agency / temporary staff (see section 2.1) who carries on any business and/or holds any other employment, whether for hire, gain or as a volunteer, which is in addition to their main role with the Forces. The Forces are the primary employer and as such must take precedence over any other employment or voluntary role held.

OR

Any income received from leased, let, or rental property, whether the property is part of the police worker's dwelling (for example where the police worker has a lodger) or from another property in the UK or abroad must be disclosed as a business interest.

A police officer, PCSO, or police staff's spouse or civil partner (not separated from them) residing at their address, who holds or possesses a pecuniary interest in any licence or permit granted under the laws relating to liquor licensing, refreshment houses, betting and gaming or regulating places of entertainment in the Forces policing area.

Being a consultant to, employed by or running any organisation that provides, or could be perceived to provide, services allied to core police activities.

Charity and volunteer work falls under the definition of a business interest and additional work. (e.g., youth worker, scout leader, charity retail, charity trustee, sports coach).

Gambling may fall under the definition of a business interest if this is undertaken regularly with the intention to increase income. Professional and semi-professional gambling as well as individuals registered with the Gambling Commission must declare a business

interest. These activities have an increased level of vulnerability and associated wellbeing concerns, therefore if in doubt advice must be sought from the JFVU.

Subscriptions to websites where there is a 'pay per view' option attached to your account, such as Only Fans, also falls under the definition of a business interest and additional work. These must be declared to the vetting unit detailing what individuals are paying to view and how much income is ingenerated from this.

Actively trading in Cryptocurrency such as BitCoin, where this is not just for investment also falls under the definition of a business interest. Actively trading is considered those who are monitoring, analysing, and reviewing markets regularly and who declare a trading income to His Majesty's Revenue & Customs (HMRC). Those who invest longer term and pay Capital Gains Tax do not need to declare this a business interest.

If there is any doubt on whether a business interest, additional work, needs to be declared, advice must be sought from the JFVU.

1.2 Individuals may only conduct a business interest with the permission of the Head of Professional Standards Department (PSD), before the business interest, additional work, charity, or volunteer work commences. Conduct of a business interest without permission or outside the terms of any conditional permission, may be dealt with as a breach of the standards of professional behaviour under the relevant misconduct procedures.

1.3 Business Interests include hosting foreign students, property rental and lodgers, however this is not an exhaustive list. Fostering may be considered as a business interest but is also subject to disclosure under the Joint Force Vetting Policy (co-residents). Refer to the Joint Force Vetting Policy (Surrey and Sussex) (592).

1.4 Joint Force Vetting Unit (JFVU) Contact Information.

Business Interest Team

Tel: 01273 018742

Email: BusinessInterests.Vetting@sussex.police.uk

Business Interest Application Forms can be found on the How do I? About the Joint Force Vetting Unit pages of the intranet or requested from the JFVU. Please ensure you have the correct form and the latest version before submitting. All business interest decisions will be communicated in writing.

2. Application for a Business Interest, Additional Work, Charity, or Volunteer Work

2.1 Applicants who are employed by the Forces as agency / temporary staff are required to declare a business interest, additional work, charity, or volunteer work.

2.2 All business interests, additional work, charity, or volunteer work applications require support from the applicant's line manager. Line managers are required to consider the application and whether the work conflicts with the applicant's policing role. Line managers must provide rationale for their support or otherwise and should discuss this with the applicant prior to submitting it to the JFVU.

2.3 Line managers need to consider the following points before supporting any application: -

- Whether or not the hours of the applicant's role with the Forces, together with the business interest, additional work, charity, or volunteer work exceed the Working Time Regulations (WTR) 1998 (48-hour week). Should an applicant's request exceed the WTR, line managers must consider performance, attendance, and wellbeing of the applicant before submitting to the JFVU. Line managers must provide full rationale of how this is being managed and monitor for the entire duration of the business interest, additional work, charity, or volunteer work. Line managers must discuss proposed hours with the applicant, detailing a plan to reduce hours to ensure WTR is being complied with.
- For all individuals, wellbeing and being fit for duty are the most important aspects when considering a business interest, additional work, charity, or volunteer work. Individuals must have a minimum of an 11-hour rest period between shifts, to ensure they are fit for duty on the first day of their shift.
- Line managers are responsible for supporting or contesting the request to continue with, or be granted, a business interest, additional work, charity, or volunteer work. They have a continued responsibility for ensuring that attendance, conduct, health, safety and wellbeing issues for the applicant are not being affected, for the entire length that the business interest, additional work, charity, or volunteer work is granted for.
- Police officers, PCSOs and police staff who are subject of formal unsatisfactory performance or attendance procedures are not eligible to apply. If they are on an informal management plan it is for line managers to make a recommendation on whether the business interest, additional work, charity, or volunteer work is suitable or not. However, in these circumstances the application will likely lead to rejection. The JFVU manager will have the final decision.
- Line managers should inform the JFVU of any changes in the applicant's circumstances which could affect their suitability to have a business interest, additional work, charity, or volunteer work. This includes long term sickness, injuries, conduct issues or wellbeing.
- Line managers must keep their staff informed of the requirements within this policy and discuss any issues relating to their business interest, additional work, charity, or volunteer work during Focus conversations and annual appraisals. Information disclosed to the JFVU within the annual appraisal and annual integrity review will also be used to assess the suitability of an ongoing business interest, additional work, charity, or volunteer work.
- Should a line manager not support the application, they should inform the applicant and it must be raised with the JFVU to ensure impartial and consistent decisions are made.

2.4 All staff must have authority to carry out a business interest, additional work, charity, or volunteer work prior to commencing it. Police officers, PCSOs and police staff found to be carrying out a business interest, additional work, charity, or volunteer work without authority, may be subject to disciplinary proceedings.

2.5 Special Constables and Police Support Volunteers are dealt with separately and are not required to apply for a business interest for their permanent job role. Special Constables and Police Support Volunteers are required to declare their permanent job role and any changes to their permanent job role to the JFVU via a Personal Circumstances form.

Changes to permanent job roles will be reviewed by the JFVU and any concerns communicated to individuals in writing. Should any changes result in a conflict of interest with that of their role as Special Constable or Police Support Volunteer, then this could result in the applicant being asked to stand down from their Special Constable or Police Support Volunteer duties.

Special Constables.

Surrey, email volunteers.

Sussex, refer to Special Constabulary Policy (1122).

Police Support Volunteers.

Refer to the Police Support Volunteer Policy (Surrey and Sussex) (997).

3. Business Interests, Additional Work, Charity, or Volunteer Work and Leave

3.1 Individuals on career breaks, parental leave or other leave must follow the relevant guidance for these areas:

Career Break Policy (Surrey and Sussex) (173).

Parenting Leave Policy (Surrey and Sussex) (913).

Leave (Police Officers and Police Staff) Policy (Surrey and Sussex) (477).

3.2 Individuals on a Career Break where: -

- An individual intends to start their own business.
- An individual intends to seek alternative paid employment, charity, or volunteer work (this does not include individuals who receive payments for caring responsibilities or to maintain existing approved business interests, additional work, charity, and volunteer work).

You must contact People Services in the first instance. Refer to Career Break Policy (Surrey and Sussex) (173)

3.3 Individuals on a career break, parental leave or other absence are required to comply with this Business Interest and Additional Work Policy. They must seek authority and approval from the JFVU via their line manager before any business interest, additional work, charity, or volunteer work commences.

3.4 Police officers, PCSOs and police staff found to be carrying out a business interest without authority, may be subject to disciplinary proceedings.

4. Incompatible Business Interests

4.1 While it is not possible to provide a definitive list of specific occupations, interests or activities that are likely to lead to an application being rejected, the JFVU holds a list of job roles and the type of activities that are considered incompatible business interests, additional work, charity, and volunteer work. These roles are likely to lead to a rejection of an application. Please contact the JFVU for further information.

Each case will be considered on its own merits and an assessment made of any risk involved. The below job roles are an example of the type of jobs that are considered an incompatible business interest. These are likely to lead to a business interest rejection.

- Security Guard.
- Security Advisor.
- Door Security Staff at licensed premises.
- Store Detective.
- Taxi Driver including private hire.

The test will be whether police officers, PCSOs and police staff can exercise their duty efficiently and without conflict. If they cannot or they are likely to be compromised, the business interest, additional work, charity, or volunteer work will not be approved. For police staff the consideration will primarily be any conflict of interest, the health and wellbeing of the individual and the efficiency of the Forces. Incompatible business interests and those which are considered a conflict of interest also applies to charity and volunteer work.

In accordance with the NPCC guidance and regulation 8(3), the Head of PSD or nominated person will decide whether the business interest is compatible with the individual concerned, remaining a member of the police force having regard to whether, as a result of the business interest, the individual's conduct fails or would fail to meet the standards of professional behaviour.

4.2 Applicants to the Forces are required to declare any existing business interest, additional work, charity, or volunteer work they may intend to continue should they be appointed. Applicants will not be eligible for appointment if they intend to maintain a business interest that is not compatible with the job role they are being employed to undertake.

4.3 Decisions on compatibility will be based on this policy. If an applicant's existing business interest is not deemed compatible, then the applicant will be required to cease their involvement with that business interest or their application to join the Forces will be rejected. The Head of PSD will have the final decision.

5. Decision Making

5.1 Business interest, additional work, charity, and volunteer work decisions will be made in accordance with the National Decision Model (NDM).

5.2 Decisions are made by the Deputy Head of PSD, and all decisions will be communicated in writing to the applicant.

The line manager will be advised of a rejected application, including the reasons for the rejection.

The Deputy Head of PSD will consider the appropriateness of the business interest, additional work, charity, or volunteer work in relation to the level of vetting held. Considerations include, but are not limited to: -

- Nature of the business interest, additional work, charity, or volunteer work.
- Potential for a conflict of interest between the individual's role within the Force and the business interest, additional work, charity, or volunteer work.
- Potential for the business interest, additional work, charity, or volunteer work to lead to future financial difficulties for the individual.
- Whether the business interest, additional work, charity, or volunteer work may require the individual to associate with known criminals / persons of interest to the police.

5.3 Each case will be assessed on its own individual merits, taking all information into consideration. Where an application is approved, all individuals will be reminded of their obligation to inform the JFVU of any relevant changes in their circumstances.

5.4 The Deputy Head of PSD may consider imposing conditions when approving a business interest, additional work, charity, or volunteer work. Such conditions may set an appropriate framework in which the applicant's business interest, additional work, charity, or volunteer work must operate. In such cases the rationale for the conditions will be given in writing to the applicant and line manager.

5.5 Special Constables and Police Support Volunteers are dealt with separately in terms of their employment outside the Forces. The considerations are broadly similar to those contained within this policy and employment must be decided on a case-by-case basis to ensure there is not a conflict of interest. Special Constables and Police Support Volunteers should inform People Services and the JFVU of any changes to their primary employment.

5.6 Where the JFVU decide that an application for a business interest, additional work, charity, or volunteer work should not be authorised, or should be authorised subject to conditions, the applicant will be notified in writing within 30 days of submitting the application. Anyone who has a business interest, additional work, charity, or volunteer work application rejected, MUST NOT continue to undertake their business interest, additional work, charity, or volunteer work. Police officers, PCSOs, Special Constables, police staff and Police Support Volunteers who are found to be in breach of this policy, may be subject of disciplinary proceedings.

First and second line managers will be advised of any conditions imposed for their staff and officers' business interest, additional work, charity, or volunteer work, so that these can be monitored. This includes those that have been rejected.

It is the line managers responsibility to monitor their officers and staff and ensure that the business interest, additional work, charity, or volunteer work is not pursued without authority. JFVU will conduct a subsequent review three months after the rejection of an application and will contact the line manager as part of the review process.

The applicant has the opportunity to appeal the decision and can do so in writing to the Head of PSD, within 14 days of being notified of the decision. For further information relating to Appeals, please see section 6 – Appeals later in this policy.

5.7 Where an application is granted, the Deputy Head of PSD will provide the applicant with written authority to undertake the approved business interest, additional work, charity, or volunteer work together with any conditions applied.

The applicants supporting line manager will be notified in writing of the successful business interest, additional work, charity, or volunteer work authority, together with any conditions imposed.

The line manager will be reminded of their responsibility to monitor any conflict between the business interest, additional work, charity, or volunteer work and performance, as well as compliance with any conditions in place with the approved business interest. Any breaches or concerns must be reported to the JFVU.

5.8 If the business interest, additional work, charity, or volunteer work is approved, the applicant must not use their position within the Forces to attract trade or custom. Adverts can be placed outside of the Forces, including on social media, however no reference to the applicant's employment with the Forces should be made. Contact details should not include police premises, email addresses or telephone numbers.

5.9 The applicant must not undertake any work connected to the business interest, additional work, charity, or volunteer work whilst on duty. This includes receiving or making calls or dealing with emails and correspondence. Force issued mobile equipment and devices must not be used by individuals in relation to any matters concerning their business interest, additional work, charity, or volunteer work. For information relating to monitoring of Force issued devices, refer to the Force Issued Electronic Devices Policy (Surrey and Sussex) (1177).

6. Appeals

6.1 All applicants have the right to appeal their application, decision. Appeals must be made in writing to the JFVU within 14 days of being notified of the decision. All appeals will be reviewed by the Head of PSD who will review the business interest and any associated rationale for decisions. They may also consult with any relevant staff networks, Police Federation or UNISON if required, to gather information for the final decision.

6.2 The final decision will be given to the applicant in writing. After this, there is no further right of appeal. At all stages of the appeals procedure the applicant may be represented by a Police Federation member or UNISON (if a member) or take a workplace colleague for support.

7. Recording

7.1 Business interests, additional work, charity, and volunteer work are recorded and maintained by the JFVU. An anonymised extract of the recorded data will be published on the Forces websites to provide transparency and to promote public confidence. The application and any supporting documents and associated correspondence will be stored for monitoring purposes, for use in any subsequent reviews or in the resolution of disputes. The content of the database will be available to both the Forces for lawful business purposes and for organisational management purposes.

8. Monitoring, Review and Renewal

8.1 All approved business interests and additional work require renewal every 12 months from the date it was approved. Charity and volunteer work will be renewed every 3 years. All business interest, additional work, charity, and volunteer work renewals will require completion of a new application form and must include line manager rationale for supporting or not supporting.

8.2 Business interests, additional work, charity, or volunteer work that are approved with conditions will be reviewed after 6 months and then every 12 months thereafter, unless any concerns are identified. The JFVU can carry out a review at any time for the duration of the business interest, additional work, charity, and volunteer work. If a review is required, the JFVU will contact the individual for information.

8.3 It is the responsibility of the applicant to report any changes in their business interest, additional work, charity, or volunteer work between reviews to their line manager and the JFVU. Failure to comply with reviews or to report changes may lead to suspension or withdrawal of the business interest, additional work, charity, or volunteer work.

In addition, line managers must continue to monitor the applicant's business interest, additional work, charity, or volunteer work and the impact it may be having on performance, attendance, or wellbeing of the applicant during regular Focus conversations. Any issues must be addressed at the time of any changes and updates provided to the JFVU.

8.4 A business interest, additional work, charity, or volunteer work will be subject to a review should any police officers, PCSOs, or police staff be suspended from duty or following misconduct proceedings. This is to ensure that the business interest, additional work, charity, or volunteer work is still suitable.

8.5 Where an application is rejected, the line manager must ensure that the applicant is not continuing their business interest, additional work, charity, or volunteer work without consent. Line managers must have discussions with individuals around this during Focus conversations. The JFVU will contact the line manager for a review following the rejection of an application.

9. Withdrawals and Suspensions

9.1 It is the responsibility of the applicant's line manager to manage the continued suitability of the business interest, additional work, charity, or volunteer work for the duration of its existence. Any issues or concerns identified, such as the individual is long term sick, there are performance issues etc, this must be dealt with by the line manager in the first instance. Line managers must have a discussion with the individual which

must be recorded and sent to the JFVU. The Deputy Head of PSD will review the business interest, additional work, charity, or volunteer work and consider whether it is appropriate to continue. Please refer to Attendance Management Policy (Surrey and Sussex) (950) and Performance and Gross Incompetence Management Policy (Surrey and Sussex) (1228).

9.2 It may be necessary to seek further information about the business interest, additional work, charity, or volunteer work from the applicant, line manager, PSD Anti-Corruption Unit (ACU), People Services and Police Federation or UNISON. The Deputy Head of PSD will decide on any necessary action based on the information available at the time of the review. It may be appropriate to suspend or withdraw authority to carry out a business interest, additional work, charity, or volunteer work pending further investigation.

9.3 Should the decision be made to withdraw or suspend an existing business interest, additional work, charity or volunteer work, the applicant and line manager will be notified in writing and the rationale for the decision will be provided. Should the applicant wish to appeal the decision they must do so in writing to the JFVU manager within 14 days of being notified of the decision. The appeal should include any mitigating circumstances to support the business interest. Please see section 6 – Appeals above for further information.

9.4 The Head of PSD may suspend authority to carry out a business interest, additional work, charity, or volunteer work if a police officer, PCSO, or member of police staff are subject to a misconduct investigation where it is considered the business interest, additional work, charity, or volunteer work is no longer suitable. Once the misconduct investigation is concluded, depending on the outcome, the business interest, additional work, charity, or volunteer work will be reviewed and reinstated if appropriate.

10. Statistical Reporting

10.1 The JFVU report anonymised business interest, additional work, charity, and volunteer work information and statistics to the Office of the Police and Crime Commissioner as well as other departments across the Forces. This information is important for transparency to improve public confidence in the police service.

11. Reporting Suspected Breaches

11.1 It is the responsibility of everyone to report any concerns about an applicant's business interest, additional work, charity, or volunteer work either through their line manager or by direct contact with the JFVU. Concerns can also be reported via the Sussex PSD anonymous reporting system 'Break the Silence' or Surrey PSD reporting system 'Anonymous'.

11.2 The JFVU and PSD are responsible for investigating suspected breaches of business interests, additional work, charity, and volunteer work.

11.3 Divisions and departments must not, under any circumstances, attempt to deploy any covert tactics against any subjects, including police officers or police staff, who pose a threat to the Force through corruption, without the involvement of the PSD ACU.

12. Information Management and Data Retention

12.1 Information Management and Security is everyone's personal responsibility. Vetting staff must ensure they act with the highest integrity when managing personal information and sensitive issues.

12.2 Vetting staff must ensure their use of Force information or information systems is accessed for a legitimate policing purpose and where such activity supports the goals and objectives of the JFVU.

12.3 Personal browsing of Force systems or information is not permitted under any circumstances. Anyone found to be accessing Force systems or information without a lawful purpose may be subject of disciplinary proceedings.

12.4 Vetting staff must ensure that all hard copy documents containing personal information are stored securely and locked away when not in use. They should also ensure that personal information is disposed of in the correct way, to prevent accidental disclosure of information or unnecessary retention of material.

12.5 A personal record for all vetting applicants is created on the vetting management database - Core-Vet and any supporting documentation is stored on a secure server within the PSD. Access to both systems is controlled by the JFVU and is on a strict need to know basis.

Information within an individual's personal vetting record is subject of Management of Police Information (MoPI) guidelines and is retained or disposed of in accordance with departmental weed dates. Refer to the Surrey and Sussex Retention Schedule.

All vetting staff must ensure that any personal information, documentation, or information is not kept unnecessarily and disposed of in the correct way, in line with all Force policies and statutes, to prevent accidental disclosure of information.

Team: Professional Standards Department. Joint Force Vetting Unit.