



Business Interests and Secondary Employment

Definition of a Business Interest

The business interests of police officers are regulated by Regulations 7-8 of The Police Regulations 2003. The Regulations only apply to police officers.

It is important that officers understand the definitions that are contained in Regulations 7-8 of The Police Regulations 2003. It is not just their own personal business interests that need to be notified, but also those of spouses, civil partners and/or relatives living with the officer, where appropriate.

Regulation 8 defines a business interest in two ways:

- Firstly as it applies to a serving police officer (paragraph 8(a));
- Secondly, as it relates to licences or permits (paragraph 8(c)).

Regulation 8(a) defines a business interest as:

“the member holds any office or employment for hire or gain (otherwise than as a member of a police force), or carries on any business”;

This means that there must be an element of profit in the activity for it to qualify as a business interest as defined. Profit would include money or barter. Consequently, voluntary activities (not involving profit or barter) and activities for which the officer is reimbursed expenses only, need not be notified as a business interest.

Regulation 8(c) refers to the holding of certain licences and permits:

“the member, his spouse or civil partner (in each case not being separated from them) or any relative included in his family living with him holds, or possesses a pecuniary interest in, any such licence or permit as mentioned in paragraph (2)”;

and a reference to a relative included in a member’s family shall include reference to his spouse, parent, son, daughter, brother, sister, civil partner or any person living with the member as if they were his spouse or civil partner.

The reference to a licence or permit refers to one granted in pursuance of the law relating to liquor licensing, refreshment houses or betting and gaming or regulating places of entertainment in the area of the police force in question.

Police staff are not subject to any laid down regulations or legislation in respect of business interests or secondary employments. However, it is considered that the definition of a business interest as set out in Police Regulations is also appropriate and suitable for police staff. Under the circumstances the definition as set out in Police Regulations will apply to police staff in all respects.

Definition of Secondary Employment

The definition of secondary employment is such that it includes any activity whereby there is an element of profit in the activity and this would include money or barter.

Examples of Compatible and Incompatible Business Interests and Secondary Employment

Examples of business interests and secondary employments, which **may** be found **compatible**, are as follows. The list is not exhaustive and **each case will be considered on its merits**.

- Working in a retail outlet;
- Working in a garage;
- Working for a building firm, electrical contractor or heating company;
- Working for a catering company;
- Working at a garden centre;
- Working at a riding stables;
- Soft selling to colleagues, e.g. Avon, Tupperware, etc.;
- Letting a room within his/her accommodation, providing it is not a property owned by the MPA/MPS, and the letting is not to a subordinate;
- Some work as a TV/film extra. However, police officers, special constables, police community support officers and police staff must not appear in any commercial filming production, which mirrors their role in the MPS and/or whilst off duty in MPS issue uniform, or part uniform, or any other MPS issue clothing, or with any other MPS equipment. Neither must officer safety/personal protection equipment be utilised in these circumstances;
- Writing books or articles which are not related to policing activities for publication for which payment will be received (reference must not be made to the fact that the author is a member of the MPS); or
- Directorship of a company unless the company is involved in business activities which are incompatible.

The following is only applicable to members of police staff:

There may be occasions when members of police staff are offered a private commission, which is related to the work they undertake in the Service (e.g. professional and technology roles). In such cases this should be treated as a business interest or secondary employment:

- *Partial commission for working drawings only;*
- *Full commission for an adaptation, extension or addition to a private dwelling;*
- *Structural survey of a private dwelling; or*
- *Property valuation not involving negotiations with a government department or local authority*

There is no objection to a member of police staff volunteering to serve as a presiding officer or poll clerk at a parliamentary or local election, provided he/she can be spared. The time off should be taken as annual leave.

Examples of business interests and secondary employments, which **may** be found to be **incompatible**, are as follows. The list is not exhaustive and **each case will be considered on its merits**.

- Holding a licence or permit granted in pursuance of the law relating to liquor licensing, refreshment houses or betting and gaming or regulating places of entertainment within the MPS;
- Working in licensed premises where there would be a conflict of interest (applicable to police officers, police community support officers, special constables or any other members of the MPS who have a front line interface with members of the public);
- Would present a conflict of interest, e.g. magistrate, practising solicitor/barrister;
- Would bring the police service into disrepute by publicity or otherwise;
- Involves investigation for other than police purposes, e.g. loss assessor (applicable to police officers, police community support officers, special constables or any other members of the MPS who have a front line interface with members of the public);
- Mirrors police activity, e.g. close protection, security or surveillance, club doorman, private detective;
- Is connected with the lending of money or recovery of debts for others;
- Involves “hard selling” to colleagues by placing undue pressure upon them to buy or rent, including recruiting others to sell on his/her behalf;
- Steward at a sporting event (applicable to police officers, PCSO’s and special constables or any other members of the MPS who have a front line interface with members of the public);
- Consultant/instructor on firearms/taser (applicable to police officers or any other members of the Service who have received MPS firearms/taser training);
- Renting accommodation from or letting accommodation to a subordinate;
- The writing of books by serving members of the Service about his/her policing/work experiences;
- Any employment where there is a degree of confidentiality expected that may conflict with the interests of being a police officer, e.g. nursing, counselling, etc.; or
- Any other business interest or secondary employment, which may be determined.

All members of the MPS must identify any business interest, secondary employment, directorship or share holding in a company, he/she and/or his/her spouse or civil partner (in each case not being separated from them) or any relative included in their family living with them, may have.

In the event that a member is aware that any external organisation, in which the member of the MPS and/or their spouse or civil partner (in each case not being separated from them) or any relative included in his/her family living with them has a commercial interest, is seeking to enter a commercial arrangement with or win a contract from the MPS as a result of a procurement process, they must inform their B/OCU Commander or Head of Branch immediately. The B/OCU Commander or Head of Branch should subsequently inform the Directorate of Procurement, or any other directorate as the case may be, who will then consider the appropriate steps to be taken. In any such case, the member of the MPS may be required to stand aside from any activities associated with the procurement process until such time as the process has been finalised (e.g. specifying goods and services, evaluation of tender documentation, negotiation of commercial terms, approval of award of contract) and/or whilst the subsequent contract is in force, e.g. contract management.

In addition the member of the MPS may have his/her access to confidential and commercial information related to the procurement process, subsequent contract and the provision of the relevant goods and services withdrawn.

In difficult or borderline cases, there may be a need to seek legal advice.

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Business Interests & Secondary Employment Questionnaire

Please complete only ONE section of the questionnaire below as applicable to your circumstances.

I have read the definitions of a “business interest and secondary employment” overleaf,

1. I have no “business interest or secondary employment” as so defined.

Signed: _____ Date: _____

2. I wish to report the following “business interest”:

1. Name and private address of candidate:

2. Nature of “business interest”:

3. Address of business premises (if different from 1 above):

4. Name of person having “business interest”:

5. Relationship to person having “business interest”:

6. Any additional information i.e. extent of involvement in the business etc:

Signed: _____ Date: _____

3. I wish to report the following “secondary employment”:

1. Name and private address of candidate:

2. Nature of “secondary employment” (please specify job title, number of hours worked, frequency of work etc):

3. Address of secondary employment (if different from 1 above):

4. Any additional information you feel is applicable:

Signed: _____ **Date:** _____

Not to be completed until day of joining

My status as regard to “business interests and / or secondary employment” is unchanged from the details given above.

Signed: _____ **Date:** _____

Witnessed: _____ **Date:** _____