

D O N N A J O N E S



H A M P S H I R E & I S L E O F W I G H T

**Code of Conduct for
Recipients of
Police and Crime Commissioner
Grants**

Introduction

It is the Police and Crime Commissioner's (PCC) aim to deliver commissioned services and provide grants to secure crime and disorder reduction; including supporting vulnerable people and victims of crime, and deliver interventions which reduce offending and reoffending. In providing grant funding the PCC wants to ensure funded activities represent good value and ensure the interventions funded clearly support the priorities within the Police and Crime Plan.

Whilst delivering against her priorities the Commissioning Team must ensure adherence to the highest standards of ethical and professional behaviour. Our relationships with Grant Recipients are critical to successful performance. This Grant Recipient Code of Conduct ('this code') sets out the behaviours that we expect of Grant Recipients who are engaged in activities that are administered via grants funded by the PCC.

In selecting Grant Recipients, the OPCC will carry out checks to ensure it is entering into grant agreements with reputable organisations. These checks are conducted in line with the Functional Standard for Government General Grants, ensuring fair access to opportunities for all Grant Recipients and equal treatment during selection processes.

As Grant Recipients carry out the activities that are being funded by grant awards, we expect that their performance should be in accordance with the spirit of the grant agreement, as well as its letter. And we expect our Grant Recipients, in carrying out activities that are funded by the OPCC, wherever they operate, to act in a manner that is compatible with public service values, where possible to promote innovation and expertise, and where applicable to contribute to the public good across Hampshire and the Isle of Wight.

We also have high expectations of OPCC employees in this regard. We recognise that in many cases effective grant management requires a good working relationship between Grant Recipients and the OPCC Commissioning Team. We expect our staff to treat Grant Recipients with fairness and respect. In return we expect Grant Recipients to treat our staff in the same way, and seek to build trusting and effective collaborative relationships that are focused on delivering for the public good.

This code is intended for use by all OPCC departments in their relationships with Grant Recipients. As a statement of good practice it should be adopted both by current and prospective recipients of OPCC grants. We expect our Grant Recipients to communicate this code of conduct to employees, their parent company, subsidiaries and (if applicable) any subcontractors or intermediaries.

This Code is intended to be a living document that will evolve in line with best practice. These arrangements will be kept under review to ensure that they continue to help facilitate good governance in departments.

Any queries regarding this code that are specific to a grant scheme or award should be referred to the Commissioning Team within the OPCC at opcc.commissioning@hampshire.police.uk

1. Employees and Service Users

1.1 Respectful treatment

Our staff and those who are impacted by the activities being funded have the right to respectful treatment. We will not tolerate discrimination, harassment or victimisation in the workplace or in connection with any OPCC funded service, and we expect our Grant Recipients to provide the same commitment to our officials, and to include their own employees within this commitment, in accordance with The Equality Act 2010.¹

1.2 Professional behaviour

We expect Grant Recipients to be prepared to invest in their relationships with the OPCC and establish trust with our staff and with other entities and organisations involved in the activities being funded. We also expect Grant Recipients to be able to speak out when OPCC officials, civil servants or other Grant Recipients are not upholding the values embedded in this code. We also expect Grant Recipients to speak out, without fear of consequences, when a grant funded project or activity is unlikely to succeed because of our behaviours or a lack of good governance. We expect the same behaviour when a grant is no longer fit for purpose, for example, in the grant agreement stipulations or measures.

1.3 Interacting with Vulnerable Groups

Some grant funded activities are for end users or for beneficiaries with particular needs such as those with physical or mental disabilities, medical conditions, children and young people, the elderly, or those with other factors that place them in a vulnerable position. Grant Recipients must ensure that at all times, these end users are treated with respect and that their dignity, safety, security and wellbeing, is treated as a priority concern.

It is crucial that Grant Recipients ensure that everyone who takes part in grant funded activities, such as staff or participants (including volunteers), understand the boundaries of appropriate behaviour. Also that they have facilities in place to enable them to speak out, without fear of consequences, for example, if they feel that vulnerable groups are in any way being treated improperly. Grant Recipients are encouraged to develop their own internal guidance, training and procedures, to assist their employees whenever they interact or otherwise engage with vulnerable groups. This should cover being able to identify and act for vulnerable groups, to understand what constitutes improper conduct or abuse, and also how to act on that.

Grant Recipients should be aware that they are required to have Disclosure and Barring Service checks carried out on those who have direct contact with vulnerable groups, where clearance is not already in place, in particular those who plan to operate in a position of trust, in a regulated position. The Safeguarding Vulnerable Groups Act 2006 provides further guidance as well as stipulating that the Disclosure

¹ Details about the Equality Act 2010 can be found here: <https://www.gov.uk/guidance/equality-act-2010guidance>.

Code of Conduct for Recipients of Police and Crime Commissioner Grants

and Barring Service will make decisions on individuals who should be barred from working with vulnerable groups.²

1.4 Human rights and employment law

Grant Recipients must comply with all applicable human rights and employment laws in the jurisdictions in which they work and have robust means of ensuring that the subcontractors in their supply chain also comply. This includes complying with the provisions of the Modern Slavery Act 2015.³

2. Business practices

2.1 Management of risk

Through robust grant management, we try to ensure that risk is placed with the party best able to manage it. This includes requiring that Grant Recipients do not transfer risk inappropriately to intermediaries, other entities or subcontractors, and not to assert that they can manage risk that is in fact better managed by the OPCC. All parties to a grant should be prepared to share intelligence on delivery risks, so that any material risks can be mitigated.

2.2 Continuous improvement

We expect our Grant Recipients to use recognised sector specific best practice in the delivery of activities being carried out that are funded by the OPCC. We also expect Grant Recipients to continuously improve these activities and bring innovation, ideas and expertise to help the OPCC address its strategic and policy challenges and to support growth and where applicable to contribute to the public good across Hampshire and the Isle of Wight.

2.3 End-to-end Delivery

We expect Grant Recipients to be aware of how they contribute to overall delivery, and to work with the OPCC and other Grant Recipients to ensure that their activities are utilised effectively, providing high-quality delivery. We expect Grant Recipients to behave in accordance with required standards, as set out in the grant agreement, and to be forthcoming with information required where a grant agreement is coming to an end and is in a transitional phase leading to a grant exit.

2.4 Value

The OPCC Commissioning Team should always make sure they obtain value, when spending the money it receives from the Exchequer, and should be able to demonstrate that value to the public. This means that grant agreements should be structured to ensure that the funding is used for the intended purpose, in line with defined eligible expenditure, and to ensure sustainable value, throughout the life of the grant.

² The Safeguarding Vulnerable Groups Act 2006 can be found here:
<https://www.legislation.gov.uk/ukpga/2006/47/contents>.

³ An overview of the Modern Slavery Act can be found here:
<https://www.gov.uk/government/collections/modern-slavery-bill>.

Code of Conduct for Recipients of Police and Crime Commissioner Grants

Whilst we accept our Grant Recipients are incentivised with the promise of grant funding to carry out activities in a way that aligns with OPCC policy, we expect Grant Recipients not to exploit an incumbent or monopolistic position, an urgent situation or an asymmetry of capability or information to impose opportunistic pricing. We expect Grant Recipients to work in good faith to resolve disputes promptly and fairly, throughout the life of a grant award, through clearly communicated dispute resolution mechanisms and good relationship management.

2.5 Reputation

We want to work with Grant Recipients who are proud of their reputation for fair dealing and quality delivery. We also want working with the OPCC to be seen as reputation enhancing for the Grant Recipient. Equally, we expect Grant Recipients, in delivering the funded activity, to ensure that neither they, nor any of their partners, intermediaries or even subcontractors, engage in any act or omission, which is reasonably likely to diminish the trust that the public places in the OPCC.

2.6 Environmentally Sustainable Grant Funding

We expect our Grant Recipients to be aware of and to support the OPCC in complying with its legal and operational obligations under social value legislation, in delivery of the wider policy that sits behind the grant agreement, and in the delivery of the targets as defined within the Greening Government Commitments 2016 to 2020. We expect our Grant Recipients to assist the OPCC in the understanding and (if possible) reducing the potential impact grant funded activities may have on our environment.

We expect Grant Recipients to be open and transparent in assisting the OPCC in reporting publicly on any environmental impacts.

2.7 Confidentiality

Grant Recipients are expected to comply with the provisions in their grant agreements and any legal requirements to protect sensitive information. Grant Recipients may also be party to confidential information that is necessary for them to be effective partners.

This information, even if it is not covered by provisions within the grant agreement, should be handled with the same care as information of similar sensitivity in the Grant Recipient's own organisation.

2.8 Conflicts of Interest

Grant Recipients shall mitigate appropriately against any real or perceived conflict of interest through their work with the OPCC. A Grant Recipient with a position of influence gained through the award of a grant should not use that position to unfairly disadvantage any other Grant Recipient or reduce the potential for future competition, for example, by creating a technical solution that locks in the grant to the Grant Recipient's own proprietary methodologies or activities.

3. Standards of Behaviour

3.1 Ethical behaviour

OPCC Staff are required to uphold the Seven Principles of Public Life in their dealings with third parties and we expect fully reciprocal behaviour from Grant Recipients. We expect the highest standards of ethics from Grant Recipients, their agents, their chosen intermediaries and possible subcontractors in carrying out the activities funded by the OPCC. We expect Grant Recipients to be explicit about the standards they demand of their executives, managers, employees, partners, volunteers and subcontractors and to have in place governance and audit processes to monitor and enforce these standards.

3.2 Counter Fraud and Corruption

We expect that at all times, Grant Recipients adhere to anti-corruption laws, including but not limited to the Bribery Act 2010, the Fraud Act 2006 and anti-money laundering regulations. We expect Grant Recipients to have robust processes to ensure that their agents, intermediaries, and possible subcontractors also comply with these laws. We will not tolerate any form of corrupt practices, including extortion and fraud, and we expect Grant Recipients to be vigilant and proactively look for corrupt practices, fraud, and the risk of such forms of criminality, in the conduct of their activities.

Grant Recipients should immediately notify the OPCC where corrupt or fraudulent practice is suspected or uncovered and disclose any interests that might impact their decision-making or the advice that they give to the OPCC.

3.3 Transparency

We expect Grant Recipients to be open and honest in their dealings with the OPCC, and where required to support the OPCC to meet transparency commitments within the UK Open Government National Action Plan, 202425. In addition, where required within the grant agreement, we expect full and prompt disclosure of costs, in line with published guidance and the terms of the grant agreement.

3.4 Treatment of Agents, Partners, Intermediaries and Subcontractors

We expect our Grant Recipients to deal fairly with any other entities that it works with in the delivery of the grant funded activities it is carrying out. We expect Grant Recipients to avoid transferring unreasonable levels of risk to other entities, especially to those who cannot reasonably be expected to manage or carry these risks. We expect Grant Recipients not to create barriers to the use of small and medium-sized enterprises who are qualified to carry out or assist grant funded activities, and to encourage innovation to increase the value or quality of those activities.

3.5 Social Responsibility

We expect our Grant Recipients to promote social responsibility; by upholding the values of this code and supporting key government social responsibility policy areas, such as (but not limited to) diversity and inclusion, sustainability, prompt payment, small and medium sized enterprise engagement, support of the Armed Forces Covenant, apprenticeships and skills development.

Code of Conduct for Recipients of Police and Crime Commissioner Grants

3.6 Compliance

The overall objective of this code is to drive improved performance throughout OPCC grant funding, by building trusting and open relationships with our Grants Recipients. Grants Recipients that carry out activities that are funded by OPCC grants are expected to comply with all aspects of this code, and the terms and conditions of the grant agreement.

The grant agreement provides the legal framework for delivery, and should reference this code. Grant Recipients should be open and transparent with the OPCC in relation to breaches or suspected breaches of the principles outlined in this code, and should promptly notify the OPCC of any such breach. If non-compliance with the requirements of this code is reported or alleged, the first step is for the OPCC to discuss the allegations with the Grant Recipient. If that does not resolve the issue, or in cases where the breach is sufficiently grave, the OPCC may consider suspension or termination of the grant agreement, and may take action to recover some or all of the funds paid.