



Damage to or Loss of Personal Property Policy

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Policy Owner	Head of HR
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This document has been assessed for:	
Compliance with Legislation	<input checked="" type="checkbox"/>
Equality Impact Assessment	<input type="checkbox"/> Not required
Freedom of Information issues	<input checked="" type="checkbox"/>
Human Rights compliance	<input checked="" type="checkbox"/>
Health and Safety	<input checked="" type="checkbox"/>
Risk Management	<input checked="" type="checkbox"/>

Important notice: During times of national emergency or pandemic, the head of HR will approve relevant and necessary changes to policy and process to allow the spirit of the policy to be maintained whilst caring for and supporting our people.

Damage to or Loss of Personal Property Policy

1. Policy statement

As a publicly funded organisation, Cleveland Police will always ensure that any expenditure as a result of an individual incurring loss or damage to personal property whilst undertaking police business is both carefully considered and reasonable.

This policy applies to Police Officers, Police Staff (including those Police Staff employed by the Police and Crime Commissioner for Cleveland), members of the Special Constabulary and Volunteers.

Please Note: For the purpose of this policy the above will be references as an Individual.

This policy must be applied fairly, equally, and consistently to all individuals irrespective of age, disability, gender reassignment, marriage or civil partnership, pregnancy and maternity, race, religion or belief, sex, sexual orientation, or any other unjustifiable grounds.

2. Purpose

The purpose of this policy and procedure document is to provide awareness to Individuals of the procedure, they must follow, if they incur loss or damage to their personal property whilst on duty.

No claims for loss or damage to private vehicles will be considered under this policy.

3. Underpinning procedures

Cleveland Police does not accept any liability for the personal property of any individual whilst they are on duty away from Cleveland Police premises, on Cleveland Police premises or in Cleveland Police vehicles.

In exception circumstances, individuals may submit a claim for an ex-gratia payment, to recognise the loss or damage to personal property, which may be considered.

Any ex-gratia offers are strictly without prejudice and are not an admission of liability on the part of Cleveland Police.

Individuals will be required to follow a process to submit a claim which is detailed below:

3.1 Criteria to be eligible to submit a claim

If an individual wishes to make a claim they will need to ensure that all of the below criteria has been met:

1. The loss occurred as a direct result of an individual performing their official duties.
2. It was reasonable for the item(s) damaged or lost to be with the individual at the time of the loss. (see below for a list of what may be reasonable)
3. The loss or damage was not the result of normal wear and tear.
4. The item(s) lost or damaged should be of a reasonable value which would be considered to be no greater than **£50 per item**.
5. The maximum total claim allowed, is **£150**.
6. The individual took all reasonable steps to prevent the loss or damage (e.g., proper precautions were being taken at the time of the loss/damage, full use was made of lockable draws/lockers were used to secure items).
7. Compensation for loss or damage has not been obtained via another means (e.g., a personal or household insurance policy).

What may be reasonable for a claim?

Individuals should consider the below to determine if claiming for an item is reasonable:

- Was the item required to effectively perform duty, for example prescription spectacles may be required to effectively perform duty?
- The wearing of a wristwatch would be considered a reasonable item to wear, other items of jewellery would not necessarily be considered reasonable.
- Was the item or equipment lost or damaged something that is available to be issued via the Force? and could that have been used instead of an individually purchased item or equipment? For example, a torch which is available to be issued by the Force.

Please Note: High value designer wristwatches or spectacles would not be considered to be reasonable.

3.2 Submitting a Claim and Approval

If the individuals claim meets the criteria in section 3.1 then the below procedure should be followed:

- Provide their Line Manager with evidence of:
 - The loss or damage of the item and how it occurred;
 - Any receipts or alternative evidence, illustrating the original value or similar/identical item.

- Complete the 'Loss or Damage to Personal Property Form' ensuring it is fully completed and accurate, with all accompanying receipts/documents.
- The form and documents should then be submitted to their second Line Manager for review.
- The second Line Manager will then complete a provisional compensation assessment (see section 3.3 for details).
- If the second Line Manager agrees that the claim and that, the individual's claim then they will sign the claim form to confirm.
- The claim will then need to be reviewed at the Joint Negotiating Consultative Committee (JNCC) where final approval of any ex gratia payment, will be decided.
- The fully completed and approved form should be sent to the PA executive team mailbox asking for the claim to be considered at the next JNCC meeting. The form and accompanying documents should be sent to executivepamailbox@cleveland.police.uk.

Communicating the decision

Any applications will be discussed as part of the JNCC meeting, and the outcomes from the meeting will be communicated as follows:

- The PA executive team will confirm the outcome to the person who submitted the application to the mailbox and also copy in the treasury.
- The Human Resources (HR) team will send confirmation via email to the individual. Where an ex gratia payment has been approved, the email will confirm instructions for the individual to complete and send to the Treasury Team, in order to make arrangements for payment.
- The HR team will also send confirmation to the treasury.
- Once the individual has completed the instructions and the Treasury Team has the correct completed information from the individual, they will arrange to make payment.

Important information to note:

- Any claims submitted on the incorrect forms and/or without the correct counter signatory or relevant documentation, **will not** be processed.
- The decision of the JNCC will be final and there is no appeals process.
- Ex gratia payments are **not** made via normal payroll.
- Individuals must follow the appropriate instructions for payment, where ex gratia payments have been approved. If the information is not correct, then this could result in the payment being rejected via the banking system.

3.3 Provisional Compensation Assessments

Any ex-gratia payment will be on the basis of 'current value.' There will be no 'new for old' payments. The amount of compensation will be dependent on the age of the item. Generally, the following percentages will be used as a guide in determining the value of any compensation:

- Up to 3 months old 90% of original value
- Over 3 and up to 6 months old 75% of original value
- Over 6 and up to 12 months old 60% of original value
- Over 12 and up to 18 months old 45% of original value
- Over 18 months old 25% of original value

Examples:

- *Item value of £50 purchased 2 months prior to item being damaged
= 90% of £50 = £45*
- *Item value of £32 purchased 20 months prior to item being damaged
= 25% of £32 = £8*

The above rates are only a guide.

The JNCC will make recommendation as to whether the circumstances merit the offer of an ex-gratia payment.

4. Appendices

Appendix	Description
1.	Loss or damage to personal property form

5. Compliance and monitoring

The Head of HR is responsible for the accuracy and integrity of this document. This policy will be continuously monitored, and updated when appropriate, to ensure full compliance with legislation.

The Head of HR will review this process to ensure that all aspects are being adhered to in accordance with the framework of this policy.

6. Version control

This policy will be reviewed and updated at least every three years by the owner, and more frequently if necessary.

The Corporate Services Department will ensure this document is available on the Force intranet, including any interim updates.

The following identifies all version changes.

Version	Date	Reason for update	Author
0.1	July 19	New policy for consultation	██████
0.2	Sept 19	Policy slightly amended following consultation for approval.	██████
1.0	Sept 19	Policy approved and published	██████
1.1	Feb 2020	Change of owner dept. name	██████████
1.2	Apr 2020	Addition of COVID 19 message	██████████
1.3	July 2021	Review date extended	██████████
1.4	Jan 2023	Addition of max claim of £150 Reformatted and added more details re process	██████

Loss or Damage to Personal Property Form

Completion of this form does not give rise to Cleveland Police accepting legal liability for any loss or damage to personal property.

ALL PARTS OF THE FORM MUST BE COMPLETED: The form must be sent to the relevant Line Managers for signature.

A. Details of claimant	
Name: Job title:	Collar Number:

B. Details of Loss or Damage	
1.	Site where loss or damage occurred:
2.	Date of occurrence:
3.	Name of witness (if any): (Witness Statement to be attached if the claim is for loss)
4.	Description of item lost or damaged (any further details please attach to the claim)
5.	Brief description of circumstances under which loss/damage occurred and reason. (N.B statement to be attached if fuller details necessary)
6.	Nature of damage to item:
7.	Can the item still be used/cleaned/repared?:
8.	(a) Original cost of item £ (b) Cost of repair £ (receipt/evidence of cost of item/cleaning/repair must be attached)
9.	Date and Place of Purchase (attached receipt if possible):
10.	If beyond repair, reason why:

11.	(a) Is insurance cover held under which the loss may be claimed:
11.	(b) If answer to (a) is yes, enter details of insurance cover and indicate if claim has been made or is intended to be made:

C. Declaration by individual claimant

Individual Claimant:

Icertify that the information stated on this form is a true and correct statement to the best of my knowledge.

I wish to make a claim for compensation. In doing so I further certify that in the event that I receive compensation from an insurance company, any money received by me from Cleveland Police will be repaid, where claimed.

Signed..... Dated.....

D. This section to be completed by the Second Line Manager:

Line manager Name:

I have examined the circumstances of the above claim and all the supporting documents. I have considered this claim against the Policy criteria under Sections 3.1 and 3.2 and, in doing so, it is my decision to **SUPPORT/NOT SUPPORT** (delete as appropriate) this claim in view of the details provided.

Claim amount supported = £..... (2nd Line Manager to complete)

2nd Line Manager Signed:..... Dated:.....

Once all sections are complete, please send this form and any documentation relevant to the claim electronically to the Executive PA team at the CSH marked – “for JNCC consideration”