



Business Interests & Additional Occupations Policy

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Business Interests & Additional Occupations Policy

1. Policy statement

It is essential that the public has confidence in the integrity and impartiality of the police service. As public servants there is a requirement that police officers and police staff within Cleveland Police disclose whether they have a Business Interest or Additional Occupation (hereafter simply termed 'business interest' for ease of reference), or wish to continue to pursue a business interest, whilst in the employment of the Force.

This policy does not apply to the Police and Crime Commissioner.

This policy is intended to support those who will make decisions to approve or refuse business interest applications by police officers, police staff and police support volunteers.

Approval for a business interest will only be granted if it does not conflict with the values and ethos of the police service. Approval may be conditional, and where conditions are attached to any approval, the rationale behind any conditions imposed, or indeed any outright rejection of the application, must be fully recorded.

Special constables are dealt with separately in terms of their employment outside the service as detailed in NPIA Circular 01/2011. The considerations in this circular are broadly similar to those contained within this policy and will be decided on a case-by-case basis. Special constables who have a primary employment are not intended to be considered under the business interest policy.

However, the Counter Corruption Unit will review the primary employment to ensure there is no conflict or risk of corruption.

The NPIA Circular directs that a Chief Officer must decide whether any such employment is a conflict with the role of a Special Constable. A Chief Officer decision will form part of the recruitment process.

This policy must be applied fairly, equally, and consistently to all police officers and police staff 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.

1.1 Applicants to Cleveland Police and Vetting Renewal

Authorised Professional Practice (APP) for vetting by the College of Policing states that officers and staff members vetted on recruitment are made aware that any adverse changes in their circumstances, or failure to refer such changes could result in the withdrawal of their vetting clearance and/or the initiation of misconduct proceedings.

Applicants to the police service are required to declare any existing business interest they may intend to continue should they be appointed. However, they will not be eligible for appointment if they intend maintaining a business interest that is incompatible with being a member of the police service.

Decisions on compatibility will be based on this policy. If an appropriate officer (on behalf of the chief officer) deems an applicant's existing business interest to be incompatible, then the applicant will be required to cease their involvement with that business interest or their application to join the service will be rejected.

Any declared associations will be referred to the CCU for an assessment by the vetting unit. The CCU will then cause enquiries to be made which may involve a pre-employment discussion to establish a way forward.

Likewise, any associations not declared but identified by vetting/the CCU will be scoped.

There is no right of appeal to a chief officer for such applicants under this preemployment policy. However, the normal vetting process has an appeal route embedded within it.

2. Purpose

The purpose of this policy is to raise the awareness of all police officers and police staff of the requirement to seek approval for a business interest.

This policy is not intended to constrain officers or staff from holding a business interest but seeks to ensure a consistent approach to only authorising those business interests which do not conflict with the work of the police and which will not adversely affect the reputation of the individual, the Force, or the wider service.

This procedure allows the Counter Corruption Supervision (acting as the Appropriate Officer/s as described in the Police (Amendment No. 3) Regulations 2012 with delegated powers from the Chief Constable), to determine whether a business interest or the taking of employment outside of Cleveland Police could conflict with the work of the Force or adversely affect the reputation of the Force and the ability of an officer or member of staff to discharge their duties impartially (including where members of the public might consider such a business interest or additional occupation as a barrier to impartiality).

In making approval decisions, the Appropriate Officer will consider the views of the applicant's line management and Service Unit Management.

This procedure fully adopts the provisions set out in the ACPO Guidance on Business Interests and Additional Occupation (October 2012) and ensures compliance with the Police Regulations (2003), as amended by the Police (Amendment No. 3) Regulations 2012; the Police Staff Council and Conditions of Service Handbook (2004), as reinforced by Joint Circular No.74 (December

2012) whereby the Police Staff Council endorsed the aforementioned ACPO Guidance; Article 8 of ECHR as provided by the Human Rights Act 1998; and the European Working Time Regulations (1998).

Any queries should be sent to [REDACTED]

3. Underpinning procedures

3.1 Definition of a Business interest

Regulation 7 of the Police Regulations 2003 (as amended by the Police (Amendment No. 3) Regulations 2012) provides that a person has a business interest if:

- Being a member of the police force, the person holds any office or employment for hire or gain (otherwise than as a member of the force) or carries on any business; or
- Being a member of the police force or a relative included in such a member's family, the person holds or possesses a pecuniary interest in 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 in the Force area.

“Relative” in relation to a member of a police force means:

- (i) a spouse or civil partner who is not separated from the member;
- (ii) a person living with the member as if they were the member's spouse or civil partner;
- (iii) a parent, son, daughter, brother or sister of the member.
- (iv) any other relative in law.

The same definition of a business interest and relative applies to police staff and police support volunteers. The term “member” in this regard is used to refer to police officers, police staff and police support volunteers.

There is no further specific guidance on exactly what constitutes a business interest, but the generally held perception is that the definition rightly extends to those positions that attract some degree of remuneration, no matter how insignificant and not just financial. The rationale quite properly extends to such positions in clubs or societies or where a reasonably informed objective person might be led to believe that there is, in fact, remuneration, even though there is none, or the office holder declines to accept such remuneration.

Each application will therefore be considered independently and impartially, on a case-by-case basis. Just because your proposed business interest is the same as that of a colleague that has been approved, does not mean that your

application will be automatically approved and this must not be used as justification to approve.

3.1.1 Voluntary Sector Work

Cleveland Police sees the positive impact that voluntary work can have within a community. It is recognised that members of Cleveland Police may wish to give something back to the community that they serve and therefore may choose to volunteer for a non-profitable organisation.

All voluntary sector work is classed a business interest no matter if it is purely voluntary with zero pay or indeed expenses are recovered. The Force must ensure safeguards considered in any business interest to ensure there are no conflicts with the direction in this policy. To be clear, it is still a business interest if you are volunteering for a charitable organisation, or you volunteer for a private organisation for example.

This applies to circumstances whereby there is charity work being undertaken as a department. For example, the student officers undertaking charity work as part of their initial development programme.

One-off charity fundraising events, such as completing the Great North Run and raising funds for a chosen charity will not require a business interest approval. However, any ongoing fundraising ventures do require such approval.

3.1.2 Conflict of Interest

There may be occasions whereby it is not obvious the business interest or additional occupation description would define the activity. In this instance, this could be defined as a conflict of interest which may be considered under this policy.

In its most simplest of terms, a conflict of interest is any situation in which an officer, police staff, member of the Special Constabulary or volunteer with Cleveland Police or employee of the Office of the Police and Crime Commissioner (OPCC) has a competing interest or loyalty and where it is arguable that a fair-minded and informed observer, having considered the facts, would conclude that there was a real possibility that the relevant person could be biased.

A conflict of interest can exist in many guises; notably where an officer's, member of staff's, member of the Special Constabulary's or volunteer's or employee of the OPCC's personal interest conflicts with their own professional position. A conflict of interest can typically arise where that relevant person has a private interest or a perceived private interest that might influence or be perceived to influence the delivery of their public service.

Crucially, the responsibility placed upon Police Officers, members of Police Staff, members of the Special Constabulary, volunteers and employees of the OPCC alike, is so great as to demand that whatever we do is done with integrity, impartiality and transparency.

A conflict of interest is not a negative reflection on the parties involved. However, failure to raise that conflict of interest as and when it is identified prevents the organisation/OPCC taking swift action to manage against the suggestion of bias and may be damaging to the reputation and confidence in the organisation/OPCC.

Under no circumstances should we find ourselves in a situation where our responsibility to discharge our duties is limited or hindered as a consequence of a personal or professional conflict. A conflict of interest has the potential to undermine public trust in Cleveland Police/OPCC and the Police Service in general.

All Police Officers, members of Police, members of the Special Constabulary, OPCC Staff and volunteers are required to declare a conflict of interest to an appropriate manager/departmental point of contact (normally your Line Manager, but if not appropriate another suitable manager) as soon as this becomes apparent. Failure to report a conflict of interest may result in disciplinary proceedings being considered.

For example; where a senior finance officer is party to an organisational/OPCC decision on the procurement of services for the organisation/OPCC, and that person has an interest in the company that is offering the services e.g. knows the director, or other senior manager within that company, it would be necessary for the Senior Finance Manger to declare that interest.

It does not mean that the person would be removed from any decision making but by highlighting the fact that the conflict of interest exists, will provide greater transparency should that matter ever be the subject of scrutiny.

Each possible conflict of interest will be considered on a case-by-case basis, and it may be necessary for the appropriate manager to seek further guidance and advice in making a final decision.

Irrespective of the decision that is reached, it is essential any consideration of a conflict of interest is accurately and formally recorded. Further advice can be taken from CCU.

3.1.3 Armed Forces Reservists

Any reservist roles are defined as business interests and must be submitted for consideration to the CCU.

It is critical that you have early liaison with your line management to ensure the correct process is followed. The process includes risk assessing by Special Branch prior to any relevant deployments.

Those wishing to seek this additional occupation should also read the Cleveland Police Special Leave Policy for guidance on taking time off for their reservist deployments.

Please note that no internal communications regarding deployments must take place until the business interest has been approved.

3.2 Requirement to Declare a Business Interest or Additional Occupation

A police officer is required by Police Regulations to make an application, in writing, to register a business interest and/or approved occupation they have or propose to have.

Members of police staff are also required to register a business interest and inform their employer of any other work undertaken under the 'Working Time Regulations'. In addition, the Police Staff 'Code of Conduct' states that individuals must ensure that there is no 'clash of interest' between any private work and their work with the Force.

A member of Police Staff must seek written approval of external work or of a 'business interest' if this applies. Police Staff Council Joint Circular No.74 (December 2012) provides for the adoption of the ACPO Guidance to ensure equity and parity of approach.

Approvals will be subject to biennial review; however, the review period is at the discretion of the Appropriate Authority and may occur more frequently depending upon the existence of any perceived risk. Where approvals subject of conditions is granted, the applicant must sign to agree the imposition of conditions before approval is complete.

Any applicants to Cleveland Police will be asked in their vetting form whether they intend to carry on a business interest. This policy will apply to those intending on joining the organisation and as such if there is a conflict, this could affect a vetting decision.

See [Appendix 2](#) for some frequently asked questions of what constitutes a business interest.

3.2.1 Request for Tenant details

As public servants there is a requirement that police officers and police staff within Cleveland Police disclose whether they have a Business Interest or Additional Occupation or wish to continue to pursue a business interest, whilst in the employment of the Force.

When the Force is deciding whether to approve a business interest or indeed there are relevant changes or a previously recorded BI is being reviewed, the Force is then obligated to decide whether that business interest is compatible with the staff member remaining a member of the Force.

The landlord should therefore consider their own responsibilities in accordance with the Standards of Professional Behaviour and the Code of Ethics. The Code of Ethics confirms that people working in policing in England and Wales can have business interests as long as those interests are authorised and there is no

conflict with an individual's police work and responsibilities and that associations with groups or individuals must not create an actual or perceived conflict of interest with police work and responsibilities.

The landlord should also be aware that there is an exemption under the Data Protection Act 2018¹ which would allow for disclosures to be made to the Force for the prevention and detection of crime or the apprehension or prosecution of offenders, should the landlord have such concerns relating to their tenant's conduct. In those circumstances, the landlord ought to disclose this information to the Force in the form of an intelligence log or in urgent cases through the Force control room. Any submission to the Force must make reference to the landlord's employment with the police service. The landlord ought to also be aware of their responsibilities in respect of the Notifiable Associations guidance and should consider the same. Any disclosure as part of a Notifiable Association assessment should be made directly to the Counter Corruption Unit.

The Force is entitled to monitor a business interest to make sure that it continues to be a suitable and appropriate activity for one of its staff. The ACPO guidance specifically states that this will provide the line management and the wider organisation with the opportunity to ensure that the arrangement can be accurately assessed and managed. Further, the Vetting APP states that the Force should consider the risk posed where adverse information is revealed concerning relatives and associates – associates including individuals with whom they have significant financial arrangements.

In practice this follows the below process:

1. There is no requirement for a staff member landlord to disclose their tenant details where there is no suspicion of criminality or safeguarding risk.
2. Staff member landlord suspects criminality by a tenant.
3. Intelligence log submitted by staff member landlord which highlights the members' position as a tenant.
4. The Intelligence log is sent to CCU by the staff member.
5. Cleveland Police can then use that intelligence to approve/reject the application under a lawful basis.
6. The tenant may also become a notifiable association.

3.2.2 NPCC Sex Work Guidance

The use of sex workers and involvement in sex work is incompatible with the role of a police officer, volunteer, or police staff member.

The role of policing within society is unique in its requirement to display impartiality. Restriction of police employees' private lives is codified within police regulations where officers are curtailed from engaging in certain activities (for example officers cannot become licensees or stand for election in a political office). It is imperative that the police build trust and confidence by retaining their

¹ <https://ico.org.uk/for-organisations/uk-gdpr-guidance-and-resources/exemptions/a-guide-to-the-data-protection-exemptions/#ex1>

impartiality and delivering upon their Safeguarding responsibilities on behalf of the public.

When police officers or staff make use of services offered by sex workers or are involved in the provision of such services, there is an obvious significant risk that this is highly likely to undermine public trust. For that reason, police officers and staff should not supply, procure or attempt to procure physically provided commercial sexual services or other services. To do so would compromise their professional position.

Given the fluid definition of what amounts to a sexual service each case should be dealt with on its own merit, but the following guidance should be considered (this is not a definitive list but a starting point). Officers and staff employed by the police should not:

- Visit brothels for the purposes of procuring a sexual service.
- Obtain services from on-street sex workers.
- Undertake any activity which could give rise to concerns about their ability to discharge their professional duties with impartiality.
- Undertake any activity which could give rise to concerns that their values were not aligned to those of the police service (for example in respect of addressing misogyny or failing to Safeguard).
- Engage in any activity involving the provision of commercial sexual services which may expose them to increased risk of corruption by virtue of blackmail or risk loss of existing vetting clearance.
- Engage in social media discourse relating to sex work that may bring the police service into disrepute.

It should be noted that these prohibitions can relate to the use of sex workers overseas, where such use may be legal in that country.

This curtailment of activity in the private lives of our workforce is necessary to address the risk posed to undermining public confidence and to individual employees themselves. It is very unlikely that an officer or staff member would be able to adequately assess the vulnerability or welfare of the sex worker, including the identification of human trafficking/CSE indicators. This may in turn lead to criminal allegations under S.53A of the Sexual Offences Act.

The sex work industry has many well documented close links to organised criminality. Officers and staff may well be placed in the position of being expected to turn a blind eye' to other criminality such as drug taking and the unlicensed service of alcohol. Historically the use of sex workers has led to an increased risk of force system misuse to research individual sex workers or locations.

Furthermore, accessing the services of sex workers brings with it an associated risk of blackmail. Whilst this is not unique to policing, the risk is tangibly increased due to the unique role, powers and access a police employee holds. Officers and staff may well be compromised in their ability to impartially deal with calls for service associated with a sex worker, associates or other customers.

In all circumstances, the conduct of a police employee accessing physically provided sexual services will necessitate a disciplinary investigation along with a review of the employee's vetting status.

Clearly any business interest connected to sex work, whether online or in person will be incompatible with the values of policing.

3.3 Deciding Applications: Basic Principles

When considering the appropriateness of a business interest, the starting point will be that only interests or occupations that are not incompatible with the ethos and values of the police service will be permitted. Careful consideration must be given to the potential for adverse reputational damage to the Force arising from any perception of any shortfall in the integrity or impartiality of a member of the Force being associated with the prospective interest or additional occupation.

To be clear, for there to be a perceived conflict rather than an actual conflict still may impact on the approval for a business interest. We must do all we can to ensure there are no perceived conflicts which could undermine the work the organisation does.

Whilst each case will be considered on its own merits, there are a number of factors which should be taken into account in determining whether to approve (and when reviewing) an application for a business interest or additional occupation.

3.3.1 Impartiality

This relates to the risk of whether the business interest could interfere with an individual's ability to impartially discharge their duties or the extent to which a member of the public would be likely to form an impression that it would so interfere. Relevant factors might include:

- Whether the activity is one regulated by the police or where police are involved in the licensing of the activity;
- Whether the activity is merely an extension of an individual's duty or the extent to which any training, skills and experience provided by the Force will be relied upon;
- Whether the office of constable or being an employee of the Force could be used to promote the business or a product of the business or would allow other organisations or commercial interests to do so;
- Whether an individual's fairness or impartiality in their dealings with the public or colleagues might be compromised.

3.3.2 Impact on the Force or Service

This relates to the risk of the business interest either discrediting the police force or undermining confidence in the police service. Relevant factors might include:

- The nature of the business interest – how reputable it is in its own right in the public eyes and in association with the police service;
- Whether the activity could lead to the public losing confidence in the honesty and integrity of the individual or of the police service or if it would likely cause confusion in the minds of the public as to whether the individual was operating in an official or unofficial capacity;
- Whether the activity could lead to the individual being improperly beholden to any person, organisation, or institution;
- Whether the business interest could lead to conflicting contractual commitments to a third party, e.g. provision of advice to a training company which is then contracted to work for the police force.

3.3.3 Current Performance

Relates to the risk of a decline in performance coupled with evidence as to the individual's current suitability through performance monitoring. Unsatisfactory attendance and misconduct should not necessarily be a reason for refusal unless either has a direct bearing on the business interest. An example of an activity that may be accommodated with performance issues is allowance for a rental accommodation that provides additional income without incurring additional work pressures:

- **Performance:** Where an individual is subject to Unsatisfactory Performance Procedures consideration should be given to the impact on their performance of any business interest that has previously been approved or that is being sought.
- **Attendance:** When an individual is absent from work on sick leave or returns to work on restricted or recuperative duties, consideration will be given to suspending approval of the business interest.
- **Misconduct:** Consultation with the Force's Director of Standards and Ethics or Human Resources Department should take place to consider any current or previous misconduct and the impact or risk of any relevant misconduct on the approval of any business interest. Care should be taken to ensure any misconduct can be shown to directly relate to the business interest or additional employment, and the rationale for this should be fully evidenced.

If a business interest is affecting the performance at work of an individual or the availability for work, then any previous approval will be withdrawn and action may be taken through the Force discipline/capability procedures.

If an individual is currently on long term sick, consideration will be given to temporarily suspend approval of a business interest. This will be reviewed in the first instance by the Appropriate Authority.

3.3.4 Health, Safety and Well-being

Relates to the duty of care to the individual and the risk of injury or increased stress and fatigue which could impact on their ability to perform duties to a satisfactory standard. As part of any consideration of a business interest the Force will monitor the total number of hours an individual will be working to comply with the duty to protect their health and safety and to ensure that the total demands of the jobs do not pose a risk to the health of the individual concerned or their ability to work safely. A sensible starting point for these purposes would be to examine the requirements of the Working Time Regulations (1998), a copy of which can be accessed via the hyperlink [here](#).

3.4 Application Procedure

Any individual requesting approval of a business interest should apply on Force template A07-03 [here](#) electronically, to their immediate line manager and then their Head of Command (HOC), outlining the details. Applications should include as much detail as possible as to the nature and scope of the proposed interest or occupation.

In the case of members letting out properties, you are not required to disclose the full name and date of birth of the tenants, but you may need to submit intelligence, please refer to [3.2.1](#).

The line manager and HOC will add their comments (examining all issues highlighted under Basic Principles above and at [Appendix 3](#)) before passing the file via Counter Corruption for consideration by the Counter Corruption supervision team, who in the capacity of Appropriate Officer/s as delegated by the Chief Constable, responsible for giving fair consideration to applications for business interests in line with individual circumstances and wider reputational matters of integrity and compatibility with the reputation of the Force and the wider police service.

If a first line manager does not support the application, this must still be referred to the HOC who will consider the application. If the HOC is of the opinion that the application will not be supported, then the application should not be sent to Counter Corruption. HOC approval is an essential part of this process. If an applicant feels an application has been unfairly declined by a HOC, the CCU may review for consistency checking.

In considering whether an application for a business interest should:

- be approved without special conditions*;
- be approved subject to special conditions; or
- should not be approved.

* Every approved business interest is subject to a set of standard conditions as per [3.5.3](#). These are issued to ensure any conflict or risk is identified and mitigated.

Depending on the nature of the business interest there may be cause to issue 'special conditions'. These special conditions will be specific to the business interest for example, if a member has a business interest selling goods, a special condition may be that the member is not permitted to sell any goods in a police building or during works time.

The Appropriate Officer will consider the principles and considerations outlined in Sections 3 to 7 and Appendix A of the ACPO Guidance on Business Interests and Additional Occupations (October 2012).

Where the Appropriate Officer approves an application for a business interest, a certificate of approval will be forwarded to the applicant and line manager, detailing the conditions that apply and the review date. Approval will not be valid until the line manager returns the document after the member has accepted the agreement.

Counter Corruption is responsible for administering and maintaining accurate records of the business interest procedure.

The Counter Corruption Unit Supervisor will consider whether it is appropriate to speak with the staff member concerned and determine whether or not the business interest is inappropriate. The outcome of any discussion with the staff member will be recorded and retained within the Directorate of Standards and Ethics, together with any determination.

Any discussion with the staff member is intended to be honest and constructive. It is hoped that the staff member recognises that the discussion is important to ensure that they are appropriately safeguarded. This is not a discussion that falls within a misconduct framework and as such no formal notification or specific disclosure is required prior to the date.

3.5 Review/Renewal of Business interest

It is the responsibility of the business interest holder to inform the Counter Corruption of any cessation or change to an approved business interest.

If the holder of a business interest is on a period of long-term sickness absence or subject of restricted or recuperative duties, then the business interest will be reviewed. In some cases, this may result in the business interest being suspended by mutual agreement until the applicant returns to his or her full duties.

Where a holder of a business interest is abusing the business interest procedure whilst on long term sickness absence, restricted or recuperative duties or reduced hours, the circumstances will be reviewed in accordance with either Police (Conduct) Regulations 2020 or in line with Police Staff Managing Attendance Procedure.

Where a holder of a business interest is subject to Police Unsatisfactory Performance Procedures, Police Conduct Procedures or Managing Performance

Procedures for Police Staff, current approved business interests will be reviewed by the Appropriate Authority. Each application will be considered individually and in some cases the business interest may need to be suspended, subject to conditions, or withdrawn pending an outcome of the managing performance or misconduct procedures.

All approved business interests will be re-assessed every third year, or sooner if necessary, to ascertain whether or not they remain compatible with the principles outlined in this policy. To assist this process the Appropriate Authority may request any additional, relevant information from the individual to assist in determining whether approval should remain in place or be revoked or whether any conditions imposed should be amended.

The following process will apply every third year, or more frequently in some cases, from the date of approval/last review:

- Counter Corruption will forward the file to the relevant individual, and their second line manager;
- The line manager and individual will have a discussion to understand any changes in circumstances and any concern that has arisen since the last review;
- The line manager and individual will endorse the file and submit to the CCU;
- The Appropriate Authority will process the file as if it were a new application;
- If the business interest has ceased the file will be marked accordingly and returned to Counter Corruption who will close the file.

An individual is required to notify the Force of any changes to the business interest e.g. hours/premises etc. at the earliest opportunity, using Force template A07-03C [here](#).

A breach of any of the agreed conditions would automatically revoke approval.

Following the approval of a business interest, there may be circumstances that lead to a review of the approval outside of the agreed review process. These may include performance and attendance issues; conduct; health, welfare and well-being issues; or any change in role.

3.5.1 The role of Command Line Management & Monitoring

Line managers are a crucial part of the business interest consideration and management. If a member of their team submits such an interest in consideration to line management, it is expected that the line manager has an honest conversation around the appropriateness of such an interest. Only when the line manager and HOC are satisfied that they understand the business interest and they have articulated their thoughts, should the form be forwarded to CCU. Any application not supported by the HOC will be declined.

[Appendix 1](#) shows the process flow of an application.

Following the determination by the Counter Corruption Unit Supervisor or an appeal to the DCC, the individual holding the business interest will be required to adhere to the terms and/or restrictions imposed. Conditions issued are done so as a lawful order in respect of police officers and a lawful direction in the case of police staff.

Every approved business interest is subject to the standard conditions as in [3.5.3](#). However, further special conditions may be imposed depending on the business interest.

Until the business interest has been approved in writing, a member cannot undertake the activities applied for.

The business interest for a member of the Force is linked to the EPDR process.

It is expected that a line manager will address/revisit a recorded business interest at least every year in line with the EPDR timeline – this is in addition to the review period set by the CCU.

It is crucial that line managers understand their role in this policy, line managers must be alive to any changes or compliance with any set conditions and report any adverse findings to the CCU.

Any due diligence undertaken by the line manager should be in accordance with [3.5.2](#).

The CCU will cause additional compliance checks to be conducted via line management at random intervals. For example, if a member has agreed that they will only work 5 hours in a business interest, the CCU could direct the line management to reality check this and ensure their team member is complying with this (all such business interests require a record to be kept of the hours worked).

Where an individual with an existing approved business interest is subject to police performance procedures, police misconduct procedures or managing performance procedures for police staff, current approved business interests should be reviewed by the Appropriate Officer, providing it is relevant to the business interest or other employment. Whilst any such live procedures should be identified by DSE or CCU, this does not remove the duty from the line management to ensure relevant parties are aware of the situation.

The CCU have a number of tactics available to them to proactively monitor compliance.

3.5.2 Due Diligence Undertaken by Line Managers

This policy recognises that line managers have an important role when it comes to understanding and managing the risk to the applicant and the organisation. It is expected of line managers to ensure that they fully understand the

circumstances surrounding a business interest by having an honest discussion with their staff member.

A line manager for example, may wish to ensure that their staff member is not conflicted when attending calls for service to persons linked to their business interest.

The Counter Corruption Unit will of course provide advice at the time of decision making but this does not remove the need for ongoing due diligence from line managers.

It is critical to note that any due diligence must be absolutely necessary and proportionate. Line managers must recognise the need to respect their staff members private life and avoid any unnecessary intrusion. This is particularly important if there is a conflict between a member of staff and their line manager.

Examples of proportionate due diligence carried out by line managers could be:

- A Niche check to ensure there is no indication of corruption i.e. to confirm the staff member is not involved in investigations involving the business interest.
- Regular discussions as part of the PDR process to ensure no change in circumstances.
- Reviewing the number of hours worked on a business interest to ensure compliance with the working time regulations. This can be done by simply asking the staff member how many hours they have completed.

Examples of unreasonable and disproportionate due diligence carried out by line managers could be:

- The requesting of staff members to provide their tax return.
- The request to provide financial documents relating to the business interest or personal accounts.
- Contact being made with external agencies to seek information about the staff member or business interest.
- Getting involved in the business interest arrangements.
- Speaking to other partners in the business interest.
- Requesting that staff members explain their whereabouts on days off.
- The request to provide personal or private documentation to clarify the business interest.
- A formal interview with the staff member or their business partners.

The above examples are clearly not exhaustive and common sense must be used by all concerned. Line managers must ensure their actions are in line with the Code of Ethics.

If there is a need for more intrusive due diligence or checks then the Counter Corruption Unit will either conduct these or provide further direction to the line management.

If a member of staff feels that their line manager has acted disproportionately during this process, then they must raise this with their next in command or with the Counter Corruption Unit.

Line management must have an open and honest discussion regarding any due diligence where possible.

Any reasonable due diligence must be recorded in the line managers pocket notebook or daybook and must be available for inspection by the CCU.

3.5.3 Conditions for all approved Business Interests and/or Additional Occupations

All business interests and/or additional occupations are approved with the understanding that the below conditions must be adhered to. CCU may additionally issue special conditions. Any breach of the below conditions may result in disciplinary proceedings.

Standard Conditions:

- If there are any changes to your business interest and/or additional occupation, you will notify Counter Corruption Unit (CCU) as soon as practicable via [REDACTED]
- You must read, understand and comply with the Business Interest and Additional Occupations Policy as published on the Force Intranet [here](#).
- This Business Interest and/or Additional Occupation should in no way interfere with your role with Cleveland Police, you must not conduct any business that relates to your Business Interest and/or Additional Occupation during time working for Cleveland Police.
- Any conflict, criminal investigation, report to police, civil law claims/proceedings or similar that relate to your Business Interest and/or Additional Occupation should be disclosed immediately to [REDACTED]
- You must not use any Police systems for any purpose related to your Business Interest (if you are unsure, please check with your line manager or CCU).
- You must not use your position with Cleveland Police to influence your Business Interest and/or Additional Occupation.
- If applicable for your Business Interest and/or Additional Occupation, you must read, understand and comply with the Social Media Policy as published on the Force Intranet [here](#) (for example, but not limited to, if you use social media such as Facebook or Facebook Business Pages to advertise. If you are unsure, speak with your line manager or CCU).
- If applicable, record keeping must be in accordance with any requirements from HMRC (please contact HMRC for advice if unsure).
- If applicable to your Business Interest and/or Additional Occupation you must not advertise your link with Cleveland Police (regardless of whether you are an officer, police staff or volunteer) when advertising your Business Interest and/or Additional Occupation.

- You must not directly target advertising and discounted services for your Business Interest and/or Additional Occupations at colleagues and/or police friends (for example, but not limited to, advertising special offers for Cleveland Police only on a Facebook Business page or offering discounts on production of a warrant/staff card, if you are unsure, speak with your line manager or CCU).
- You must not exceed Working Time Regulations when combining this Business Interest and/or Additional Occupation with your role within Cleveland Police. You must maintain a record of the hours worked linked to your Business Interest and/or Additional Occupation.
- You must declare any Business Interests and/or Additional Occupations during your annual Integrity Health Check.
- Depending on your proposed Business Interest and/or Additional Occupation, you may be subject to Special Conditions from CCU.

3.5.4 Cost of Living Considerations

The organisation recognises that business interests help members with providing an additional income. The Force cost of living working group was established to ensure members are aware of the support available and to ensure the organisation provides interventions where possible.

Whilst an awareness of the cost-of-living situation is important, this is not a reason that can be cited to approve a business interest.

3.6 Refusal of approval of a Business Interest or Additional Occupation

Where the Appropriate Officer considers that an application should not be authorised, they should arrange for the individual making the application to be informed and the reasons for refusal given. The individual should then be provided with the opportunity to make written representations.

An applicant may appeal against a decision of the Appropriate Authority not to approve a notified business interest. The appeals process is set out in Regulation 9 of the Police Regulations 2003 (as amended by the Police (Amendment No. 3) Regulations 2020 and by Appendix B of the ACPO Guidance on Business Interests and Additional Occupation (October 2012). At all stages of the appeals procedure, an appellant may be represented by a police friend, staff association or trade union representative.

If an appeal against non-approval is lodged, the file is forwarded to the Deputy Chief Constable who will consider the appeal within a 28-day period.

3.6.1 Temporary Suspension during misconduct investigations

The authorisation of a business interest or additional occupation is conditional. It may be necessary to temporarily suspend an authorisation considering the above factors in [3.3](#).

The suspension of a business interest or additional occupation is a neutral act and has no bearing on any misconduct outcome or process.

3.7 Promotion and Changes of Role

Postings, promotions and secondments to some posts will require Counter Corruption to confirm whether the applicant holds a business interest that may present a conflict of interest.

3.8 Record Keeping

Counter Corruption is responsible for the administration associated with this policy and will maintain business interest records on a standalone system.

All records relating to business interest applications and procedures must be sent to the appropriate departments highlighted in the policy. Under no circumstances will copy files be kept by individual service units.

It is the responsibility of the individual holding a business interest to notify HMRC or other relevant agency of any additional income or occupation.

3.9 NPCC Policy

Cleveland Police Business Interest Policy reflects the NPCC policy on business interests and additional occupation.

3.10 Freedom of Information

A Register of Business Interests is included within the freedom of information publication scheme minimum standards as approved by NPCC and the Information Commissioner. The Force's Register of Business interests is published on its website and details the nature of the Business Interest and number of officers and members of staff who are engaged in each type of business interest. The identity of individuals holding a Business Interest is not disclosed.

4. Appendices

Appendix	Description
1.	Process Flow
2.	Frequently Asked Questions
3.	ACPO Guidance on Business interests and Additional Occupations. Follow the link here

5. Compliance and monitoring

All information relating to business interests and additional occupations will be kept by Counter Corruption and processed in accordance with the Data Protection Act 1998 and disclosed in accordance with Force statutory obligations under the Freedom of Information Act 2000.

The Head of Directorate of Standards and Ethics 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 Directorate of Standards and Ethics 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.

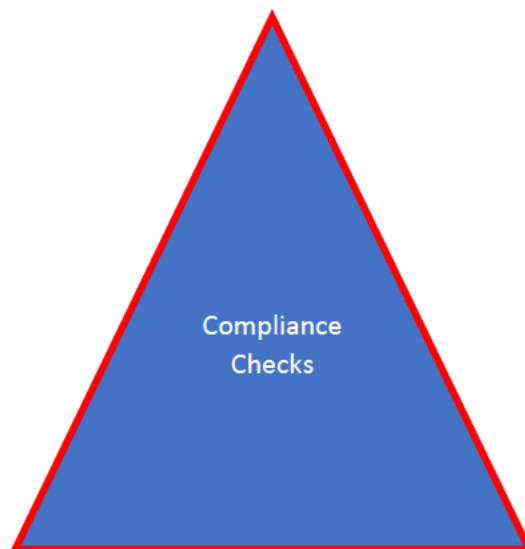
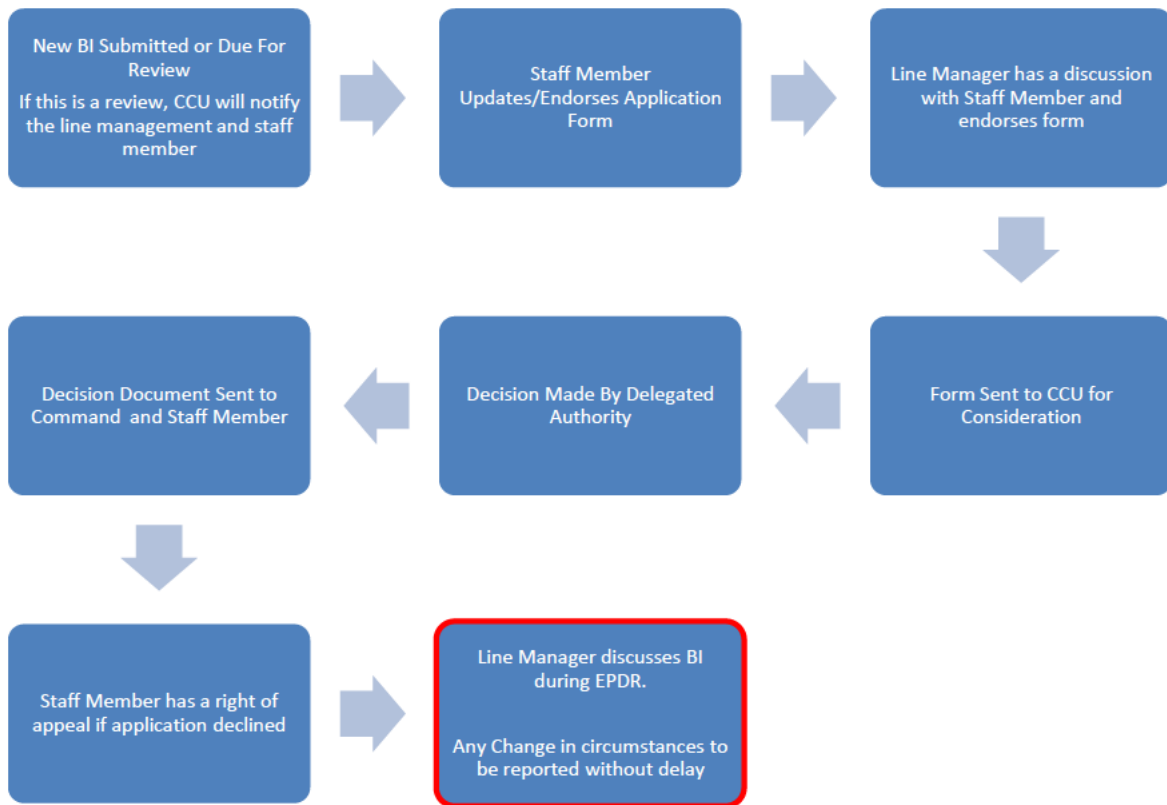
The following identifies all version changes.

Version	Date	Reason for update	Author
1.0	Dec 2011	Approved at SDG	██████████
1.1	16.05.12	Updated in line with Regulations as a result of Winsor Part 1	██████████
1.2	July 2012	Revised policy	██████████
1.3	July 2012	Amended Following Consultation	██████████
2.0	July 2012	Approved at CBM	██████████
2.1	Nov2012	Policy amended to reflect introduction of PCC, statement only	██████████
2.2	Apr 2013	Policy amended to include guidance on non-paid/voluntary work	██████████
2.3	May 2013	Policy amended to reflect ACPO Guidelines on the Management of Business interests & additional Occupations for Police Officers & Police Staff. Also updated to	██████████

		reflect change from Police Authority to PCC	
2.4	Jan 2015	Amended to reflect the removal of template A07-03A	██████████
2.5	Jan 2015	Amendment to Paragraph 3.5.2	██████████
2.6	Sept 2017	Change to owner department name	██████████
2.7	Sept 2017	Reviewed and updated as part of Transforming Professional Standards	██████████
2.8	March 2018	Review period amended	██████████
2.9	Oct 2019	Policy review – no changes required	██████████ ██████████
2.10	Nov 2021	Policy reviewed and amended to reflect Counter Corruption now hold responsibility to record and review. Appendix 2 – 4 removed.	██████████
2.11	Dec 2022	Policy reviewed to make the existing process clearer for staff members. 3.1.1 Voluntary Sector Work 3.2.1 Tenants 3.5.1 Line Management 3.5.2 Compliance Checks 3.5.3 Conditions as standard Addition of Appendix 1 & 2 (Process Flow and FAQs)	██████████
2.12	April 2023	3.1.2 Definition of a conflict of interest and roles outside of business interests/additional occupations 3.1.3 Armed Forces Reservists section clarified 3.6.1 Temporary Suspension of a business interest	██████████
3.0	September 2023	1. Further clarity re. Special Constable employment/Vetting 3.1 Further clarity around approvals/charity work/reservists 3.2 Requesting Tenant details clarity. NPCC Sex Work Guidance 3.3 Clarity re. conflict 3.4 Procedure clarity 3.5 Clarity re. Line Manager Role / Due Diligence / Cost of Living Appendix 1 Amend Appendix 2 Amend	██████████

		Appendix 3 Amend - compliance check.	
3.1	20/02/2024	Contact information added to Section 2. Section 3.5.3 updated.	██████████ ██████████ ██████████
3.2	04/09/2024	Addition to section 3.1.1 regarding fundraising. Section 3.4 – SUM changed to Head of Command. Section 3.5 - frequency changed to 3 years. Version control date for v3.0 corrected to 09/23	██████████ ██████████

Process Flow



Frequently Asked Questions

The below frequently asked questions and answers are designed to assist those in the decision-making process with their understanding. These are a general overview and not a fit for all set of guidance. All business interests are different and require bespoke assessment.

Q. I am fully employed as a police staff member in Cleveland Police. I make my own jewelry and bring it to work to sell – I don't make a profit I just cover my costs. Do I need to submit a business interest?

A. Yes this is a business interest. If this business interest is authorised, you would have to adhere to the standard conditions but it is likely you would also be issued with special conditions. For example, a special condition may be that you cannot sell any goods during duty time or in a police premises.

Q. I am a police officer fully employed by Cleveland Police. I also volunteer as a referee at a children's football event on a Sunday. Is this a business interest?

A. Yes this is a business interest. Whilst this is a non-paid role, it still falls under the business interest definition. You would have to adhere to the standard conditions.

Q. I let a property out that I own and have an agent who handles everything to do with it. Do I have to tell you who the tenants are?

A. No, you do not have to tell us as a matter of course who the tenants are as you have obligations as a data controller for your tenant. However, if you suspect that there is criminal activity taking place at your premises or you suspect your tenant/s are involved in criminality, then you must submit intelligence on force systems. We would always recommend that you use a third party to manage your premises, but we accept that this is not an option for everybody. As a landlord you have exemptions under the Data Protection Act 2018 to provide information such as criminality involving your tenants. These exemptions mean that you as a landlord are protected from any allegations made against you as a data controller by a tenant. Once you have provided the intelligence, the data is now in control of the organisation who can process it accordingly in furtherance of the business interest or notifiable association policy.

Q. I am fully employed by Cleveland Police in the Control Room as a civilian staff member. I am also a Special Constable for Cleveland Police, do I have to submit a business interest?

A. No, as you are employed by Cleveland Police and volunteer for Cleveland Police, there is no requirement to submit a business interest. This would be covered by a recruitment/vetting process.

Q. I run a social media company and have many customers who are Cleveland Police employees. I am a part time police officer for Cleveland Police. Is this a business interest?

A. Yes this is a business interest under this policy. All of the standard conditions apply

but you would also have special conditions applied for example, no reference to Cleveland Police on any marketing.

Q. I have been successful in applying to go on television to raise money for charity. I will be taking part in a 24-hour cycle ride. Is this a business interest?

A. The organisation would always seek to support any business interest that will benefit the community however, this would be classed as a business interest even as a one-off event due to the additional media aspect.

Q. I make cakes every month and bring them to work to sell for charity. I use some of the money taken to buy ingredients and only sell them during my lunch break and in a communal area inside a police premise. Is this a business interest?

A. Again, the organisation would seek to support this excellent work, but this would need to be considered under this policy.

Q. My line manager is asking me about my already authorised business interest, are they allowed to do that?

A. Yes, your line manager is a key part in ensuring compliance with the policy and also ensuring your welfare is safeguarded.

Q. I offer Air B&B in the house where I reside. This means that I have short term lodgers staying with me on occasions. What do I need to do?

A. You must notify your supervision and vetting immediately so that a change of circumstances can be logged, and appropriate risk mitigation can be considered. This is also a business interest.

Q. I sell items on eBay that my children have grown out of, is this a business interest?

A. It is recognised that many people sell unwanted items online and this is something that not only benefits you, but also goes some way to prevent items going to land fill. If you are regularly selling items [and therefore potentially making a taxable profit], then you would need to submit a business interest for consideration. It may be declared not a business interest, but you would have done the right thing in notifying us.

Q. My line manager wants to see my tax return, is this allowed?

A. Whilst due diligence is expected of line managers, this must be proportionate and absolutely necessary. The policy gives examples of due diligence and should you have any concerns then get in touch. It would be inappropriate for your line manager to request to see your tax return.