

be occasions when the Force advises that certain police services are required and a promoter accepts this offer.

- 1.2 There is a continuing need for the police service to be able to identify the basis of recovering costs or charging for its services. There is a need to ensure that this is both transparent and consistent. This policy has been drafted in accordance with the latest draft of the ACPO Charging Methodology it is designed to enable local police commanders to determine the appropriate police cost recovery as laid down by the Police Authority.
- 1.3 The policy is aimed at standardising the Constabulary's approach to the provision of 'special police services', all organised events staged in a public place and on all public highways.

2 AUDIT DECLARATION

- 2.1 This policy has been drafted and audited in accordance with the principles of Human Rights legislation, the Race Relations (Amendment) Act 2000, Disability Discrimination Act 1995, the Policing Bureaucracy Gateway and the Freedom of Information Act 2000, the document is classified as 'OPEN'.

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4 INTRODUCTION

- 4.1 It is Force policy to charge organisers of events in full for all additional services provided outside of core policing. However, where appropriate, the charge may be reduced. There may be some circumstances where it would be inappropriate to make full cost recovery, in these exceptional circumstances ACC(OC) in consultation with the Director of Finance and Resources will consider full or partial abatement of charges.
- 4.2 In deciding whether cost recovery is applicable, each event will be scored against a series of criteria to determine the appropriate level of police cost recovery. This recovery will only be sought if the policing requirement falls outside of core policing responsibilities. The matrix at [Appendix 'A'](#) should be used to score each event.

- 4.3 All costs and receipts shall be accounted for within devolved budgets. The lead BCU/Department will draw down all payments for the event and journal across the agreed cost to any other supporting BCU/Department.
- 4.4 It is recognised that this is an extremely complex issue and it is recommended that where there is any doubt in how to apply the policy, the relevant Admin & Finance Manager should be contacted and it will be their responsibility to ensure that the final calculations meet the requirements of the policy and reflect the latest corporate practice.

5 IMPLICATIONS

Links to other policies / publications

ACPO Charging methodology for Police Services – Paying the Bill

Fees & Charges Handbook

PPS [D32](#) - Records Management Policy

PPS [D166](#) – Operational Orders

PPS [D47](#) – Football & Major Sporting Events

6 CHARGING FOR THE POLICING OF EVENTS

- 6.1 Organisers of major public events should be encouraged to liaise with Safety Advisory Groups (SAG) (where established) and / or Local Resilience Forum (LRF) during the planning phase of any proposed event in accordance with PPS [D166](#). The group will act as a first point of reference regarding areas of responsibility.
- 6.2 There is no legal obligation for organisers to refer events to SAG or LRF, or for them to comply with any advice and guidance offered. Where events are planned and not referred, the Force will make every effort to persuade the organisers to do so as best practice.
- 6.3 If resisted and the event proceeds with reasonable grounds to suggest that the risks caused by the event are within Police core responsibilities, the Constabulary will take immediate action to mitigate the risks. If practicable and prior to this action, a notice in writing will be served on the organisers highlighting their responsibilities and the action to be taken by the Police.
- 6.4 Where agreement has not been reached in advance and as a result of an event taking place, the incidental expenditure incurred by the Constabulary in the form of overtime payments, meal allowances or use of specialist equipment for example, should be the subject of recovery. It is acknowledged that if an officer engaged at such an event becomes involved in a core activity such as making an arrest no costs will be levied for this.
- 6.5 When using the scoring matrix safety will be a consideration however, safety is only part of the role. There is normally an important secondary element of assessing the community effect of the potential impact on crime and disorder

and, in some cases traffic management, occurring within the community, as a result of the event. Based on that overall assessment, special police services may be requested or implied as a necessary part of supporting either a safety certificate or public entertainment licence. Police services would then be supplied to:-

- 1 Increase aspects of core policing over that which would normally be required in the locality to address crime and disorder issues arising from the staging of the event.
 - 2 Provide additional policing services to increase the level of safety to an adequate level relative to the risk assessment and, therefore, the safety requirement.
- 6.6 If it is accepted that these are the two primary roles for policing an event, then, based on an adequate risk assessment, the level of police resource can be determined. This will normally be achieved by direct communication with the event organiser, but may also be undertaken through a SAG or LRF, if required.
- 6.7 There are a number of events for which, although a formal safety certificate or premises license (with regulated entertainment) is not required, the event includes a range of characteristics that would imply that policing services should be supplied and charged for. The criteria for this are set out later e.g. Large scale carnival.
- 6.8 Policing an event involves providing special policing services to an event organiser. Although, predominantly, this involves police officer time, it can also require other elements of a specialist nature, including direct policing, vehicles, consumables, specialist equipment and support functions as part of the service provision. All of these can, and should if relevant, be included as part of the service charge.
- 6.9 It should first be recognised that core service provides a level of policing within, and for, communities. It is, therefore, important to acknowledge that many small scale local events can be policed, with a relatively low input that may represent a public reassurance role within the overall framework of risk assessment. The methodology needs to allow for this and provide some discretion on who should be charged, and under what circumstances.
- A 'de minimis' level has been agreed so that police input below the threshold of £5000 (however deployed) or lower is not chargeable except where the event is Commercial.
- 6.10 A second general principle has also been established. Charges for policing services should be made to the event organiser. He/she should then be able to take these into account when planning an event, with some degree of certainty as to the level of charge that will apply.

- 6.11 Where the event is at a single location e.g. concert, festival etc, the service should be based on the concept of servicing a “greenfield site”. This recognises that cost recovery is for additional policing required – i.e. over and above core policing. For a greenfield site this is nominal, but in other circumstances the service provided is potentially added to a base level of existing policing. All additional policing plus all specialist support, consumables and support costs involved in providing the service should be recovered.
- 6.12 It should also apply to established sites where a series of events will take place – e.g. sporting events such as football, cricket, rugby etc. This is subject to the current application of S25 Police Act.
- 6.13 The general costing principle that will be applied is a **full economic cost recovery** model. The basis for calculating this is set out in [Appendix 'A'](#)
- 6.14 The basis of using full economic recovery is to make full recovery, in order to ensure local policing resources are used primarily for policing communities. **A guiding principle within the methodology is that where the event is commercial in approach, then full economic recovery will apply.**
- 6.15 The concept of a commercial activity is no longer straightforward. There are many models or structures used in the organisation of events. As guidance, commercial activity will be characterised by the securing of a site(s) and requiring payment for entry to the event. This is generally identified by the existence of a promoter. Clear examples of this are the pop festivals and sporting matches. (For the sports matches the “promoter” can be seen to be the professional club involved).
- 6.16 There are though some events that a Chief Constable may deem to require an abatement of the charge. Any abatement needs to be considered on both the nature of the event and the normal policing already provided. Commercial events will normally include the key elements that would incur charges under the Police Act. However some events can be non commercial in nature. These fall generally into three categories – events for charitable purposes, community based events and what can be deemed statutory events. They are broadly defined below:

a) Commercial Events

Events where there is a financial gain or profit to the organiser/company/ organisation without specific community benefit – usually but not exclusively through members of the public having to pay an entrance fee to gain access to the event.

b) Charitable events

Events where, although there is a financial gain, the surplus is for charitable distribution.

c) Community Events

Those events not for personal or corporate gain but are for community or local interest purposes or to raise funds for local community institutions.

d) Statutory Events

Events where there is no financial gain to the organiser and which reflect constitutional rights, or a cause of royal, national or defined public interest.

- 6.17 This issue has been considered and an approach has been developed that involves a matrix of events, relevant purposes and proposed levels of abatement. The charge should initially be calculated on a full economic basis and identified.
- 6.18 An abatement factor may only be applied by ACC (OC) in consultation with the Director of Finance and Resources. A report should be submitted for consideration and any abatement should be recorded by the BCU on the scoring matrix on the shared drive. This will create a transparent approach, with clear decisions being taken on charge levels.
- 6.19 The example matrix identifies a range of events categorised between Commercial and (two categories of) Non-Commercial activity. It sets out a structured approach to determining the basis of abating any costs identified for charging. The nature of any event will need to be assessed according to the assessment criteria. **Generally, the levels of abatement of charge and methodology should be followed to provide a consistent service-wide approach.**
- 6.20 The assessment criteria is included to help structured decision making with regard to the deployment of officers. All events need to recognise the factors within the assessment criteria. However, in a number of cases local Commanders may expect to police to a level as part of normal policing requirements. The chargeable element would then depend upon the number of additional officers / support needed to provide the event policing roles described above.

Small scale events (excluding Commercial)

- 6.21 Police forces have a duty to police local communities. Where an event (except where the event is commercial) is assessed at requiring the equivalent of £5000 of policing (however deployed) or lower, such deployments should be treated as part of the visibility and local re-assurance components of local policing. For small scale events, these decisions can be taken at BCU level. **As such policing of small scale events under these conditions should then attract no charge. This situation is included in the matrix as a “de minimis” event.**

- 6.22 The examples provided at [Appendix 'A'](#), while these cannot be exhaustive, are intended to provide a framework for decision making. One of the important elements to the review is a need to present a clear and consistent approach to the charging for services. Wide variations in practice will undermine this requirement. The concept is to create an evaluation as objectively as possible using the criteria. An example of a scoring approach is also shown to help judge the size and nature of events, leading to an assessment of policing, cost and resultant charging requirements.

Charging for Football (as defined within PPS [D47](#))

- 6.23 Football matches should be seen as a series of planned events occurring in a Force area. The promoter is the football club. The general principles for the basis of providing the special police services are the same.
- 6.24 The provision of policing services at football is determined by a combination of local match classification, supplemented by national and/or local intelligence. Usually, deployment consists of 3 elements of policing service:-
- a) A core deployment of officers at, or in the ground.
 - b) A supplementary number of officers provided either for the duration of the match or part thereof.
 - c) Specialist policing / police staff generally provided for a limited period of time.

Full economic cost recovery should be used to recover the costs of the officers and staff for the period of their service supplied.

- 6.25 The deployment of officers to police a match will, of course, cover a period in excess of the length of the game. Officers are needed to parade, obtain equipment, be briefed, transported to deployment points and then returned to base, and debriefed as part of the core deployment. There are significant variations in deployment across the country, but methodology identifies a 6-hour deployment as a basis for the cost recovery of officers in the core deployment.
- 6.26 Officers used for a period less than the core deployment should be charged at an hourly rate for the number of hours (to the nearest hour) of actual deployment used.
- 6.27 Officers can be augmented by other members of staff - Special Constables, PCSOs and some police staff for the purpose of supplying the overall service. Appropriate charging mechanisms for this should be used and are detailed in the Fees and Charges Handbook.
- 6.28 The basis for calculating charges should, if the methodology sets out, and this document is followed, provide a more consistent charge for the provision of

the service. Care should be taken that the chargeable element for police service is consistent with current case law.

- 6.29 Full economic recovery will cover the cost of providing the relevant officers and staff at the point of service. The methodology allows other directly associated costs to be recovered e.g. police dog, horses, specialist vehicles where such costs can be justified in the context of policing football.
- 6.30 Occasionally, mutual aid from other forces is requested to police certain matches. In this context, the host force is, in effect, contracting additional officers under S25 Police Act 1996 to provide the service. Special duty rates should, therefore, apply and the providing force reimbursed for the service provided.
- 6.31 In respect of policing football grounds, BCU Commanders are encouraged to negotiate arrangements covering the full season. An estimate of the cost of policing the season should be established and a payment plan should be agreed in advance with payments made by the club by BACS (the electronic transfer of funds). The Commander is advised to establish monitoring arrangements so as to adjust the payment plan as necessary. If a club is in default with the agreed plan, then 7.13 shall apply.

7 PROCEDURES

- 7.1 The decision flow chart at [Appendix 'A'](#) should be used in the first instance to determine whether the event will be a 'de minimis' event, or whether full cost recovery is appropriate. In addition initiators who specifically request police resources to aid security will be charged full-cost recovery. These charges will be based on the standard rates applicable at the time, as contained in the Fees and Charges Handbook.
- 7.2 In all other cases the decision matrix should be completed and used to determine whether full cost recovery is appropriate or whether a request to abate some or all of the charges will be made. It should be recognised that the decision matrix is intended to provide a framework for decision making, one of the most important elements is the need to present a clear and consistent approach to the charging for services. Wide variations in practice will undermine the requirement.
- 7.3 All decision matrices should be stored in:-

[P/HQMiddlemoor/FinanceDepartment/D257](#)

These will then provide a validated and transparent trail to cross reference future decisions and provide public accountability.

- 7.4 Where a charge is appropriate, the Initiator(s) will contractually be required to pay an agreed estimated charge at least 14 days prior to the commencement date of the event. Should the amount be outstanding or the funds not cleared

NOT PROTECTIVELY MARKED

before the commencement of the service, the prior consent of the BCU commander is required for the special service to be provided.

- 7.5 A [form 19](#) will be used as the basis of any contract. In the event of payment being received and the event being cancelled, the Force will undertake to return any monies collected less administrative fees or other expenses incurred. Each form 19 will be retained for a period of seven years. VAT should be added to the final total.
- 7.9 Copies of agreements/contracts should be sent to the Director of Finance and Resources. These will be used to inform the recovery process, should the need arise.
- 7.10 On completion of the contracted service a final account shall be issued detailing the actual costs less payments received. Amounts owed to the Force are to be recovered to achieve a cost neutral service. Any refund shall be in accordance with the terms of the original estimate.
- 7.11 Recovery of policing costs from event initiators must remain reasonable given the nature of the event, public interest, potential for disorder and the anticipated number of attendees. Underpinning this policy is the need to ensure public safety throughout.
- 7.12 Payment terms are to be no more than 14 days after the issue of a final account. The formal recovery of any charges arising from late payers will only be taken with the authority of the Director of Finance and Resources in conjunction with the Force Legal Advisor.
- 7.13 Should amounts be owed to the Force at the time of a further request for the provision of special police services, the Commander shall require payment in full before incurring costs unless prior authority has been obtained from the Director of Finance and Resources.

8 REVIEW AND OWNERSHIP

- 8.1 The contents of this guideline will be reviewed annually by the Director of Finance and Resources.