



# **NSW POLICE FORCE ENDORSEMENT POLICY**

**Public Affairs Branch**

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# 1. POLICY STATEMENT

## 1.1 POLICY OBJECTIVE

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The NSW Police Force's mission is to work with the community to reduce violence, crime and fear. Close links with the community, including working relationships with other organisations, are fundamental for effective community based policing. To maintain community trust and confidence, it is essential that the Police Force project a consistently positive image in its dealings with the community.

Endorsement occurs when the NSW Police Force gives approval or support to an organisation, individual, product, service or activity.

This policy aims to ensure that community trust and confidence in the Police Force is maintained in relation to endorsements. To achieve this aim, the policy provides guidance on the management of endorsements, including:

- Defining commercial and non-commercial endorsement
- Identifying the types of organisations and activities excluded from receiving endorsement
- The approval process for selecting activities for endorsement, and
- Ongoing management of endorsed events or activities.

## 1.2 POLICY SUMMARY

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### Endorsement

Endorsement occurs when the NSW Police Force gives approval or support to an organisation, individual, product, service or activity. Endorsement is either commercial or non-commercial.

### Commercial Endorsement

Commercial endorsement occurs when a business receives a commercial benefit or profit through association with the NSW Police Force. Commercial endorsement is prohibited.

The Police Force does not endorse organisations, individuals, products, services or activities where the endorsement will result in a commercial benefit.

### Non-commercial Endorsement

Non-commercial endorsement occurs when an *event or activity* organised by a government agency, not for profit community organisation or charity is publicly supported by the NSW Police Force, and the benefit it receives does not involve a commercial benefit or profit.

The Police Force can provide non-commercial endorsement if an event:

- Supports the NSW Police Force mission to work with the community to reduce violence, crime and fear
- Does not create an actual, potential or perceived conflict of interest between the organisation and the NSW Police Force
- Provides a positive image for the NSW Police Force, and
- Does not provide a commercial benefit or profit.

Organisations seeking non-commercial police endorsement must submit a formal application for assessment by the Police Force. If endorsement is approved by a delegated approving officer, a formal letter of agreement setting out the terms and conditions of the endorsement must be provided to the successful applicant. A flow chart of the application process is located at Appendix G.

### **Police Coordinator**

A staff member must act as the Police Coordinator – the contact point between the organisation and the NSW Police Force. The Coordinator must ensure the endorsed event receives the agreed benefits from the Police Force and that the event complies with the letter of agreement.

### **Review**

Should circumstances surrounding the event vary so that the letter of agreement is not adhered to, or risks are identified, the suitability of continuing the endorsement arrangement must be reconsidered.

## **1.3 SCOPE – WHO THIS POLICY APPLIES TO**

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This policy applies to:

- All employees, Volunteers in Policing, and persons engaged to assist the NSW Police Force to undertake responsibilities in accordance with the *Police Act 1990*.
- Any person or body of persons who have been granted consent to use the word “police” in their operating name in accordance with Section 204B of the *Police Act 1990*
- Sporting clubs or teams affiliated with the NSW Police Force, or police employees participating in a national police team, eg. Police cricket, football, netball and cycling teams.

Letters of authorisation granting consent to use the word “Police”, or granting affiliation to the Police Force etc., must include the condition that the persons or bodies must abide by the Police Force Endorsement and Sponsorship policies. Copies of these policies are to be provided with the letter.

This policy should be read in conjunction with the *Code of Conduct and Ethics* and the *Corporate Branding Policy*.

## 1.4 RELATED DOCUMENTS

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Other documents related to this policy are set out below:

### NSW Police Force Policies

- *Conflicts of Interest Policy and Guidelines*, Professional Standards, 2006
- *Corporate Branding Policy*, Public Affairs Branch, 2007
- *Cost Recovery and User Charge Policy*, Financial Services, 2004
- *NSW Police Receipt of Gifts and Benefits Policy and Guidelines*, Professional Standards, 2006
- *Standards of Professional Conduct: NSW Police Force (including the Code of Conduct and Ethics)* Professional Standards

### Other Documents

- *Sponsorship in the Public Sector*, ICAC, May 2006
- *Sponsorship Management: achieving mutually beneficial outcomes*, Queensland Crime and Misconduct Commission, September 2006

## 2. COMMERCIAL ENDORSEMENT

### 2.1 WHAT IS COMMERCIAL ENDORSEMENT?

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Endorsement occurs when the NSW Police Force gives approval or support to an organisation, individual, product, service or activity. Endorsement can be divided into commercial and non-commercial (or community-based).

Commercial endorsement occurs when:

- A business trades on the name, image or association with the Police Force
- A business receives a commercial benefit through association with the Police Force.

A monetary value (such as increased sales) can usually be placed on the commercial benefit resulting from association with the Police Force.

Commercial endorsement is prohibited. *The NSW Police Force does not endorse organisations, individuals, products, services or activities where the endorsement will result in a commercial benefit.*

A commercial endorsement is high risk, as it can provide little control over product or service quality, or the manner in which a commercial organisation or individual may use the association with the Police Force.

Advertising depicting police officers in conjunction with commercial products, services or activities is not acceptable under any circumstances.

## 2.2 EXAMPLES OF COMMERCIAL ENDORSEMENT

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Example: Events with a charitable element

A business may host an activity where it donates a portion of sales to charity. Although this type of event does have a charity element, the event's prime objective is to generate sales for the business. It is therefore not appropriate for the Police Force to endorse or be involved in the activity.

Example: Can Police attend a store opening or other retail promotion?

The Police Force often receives requests for involvement in local business activities such as store openings or hardware store promotions. A police presence at these events is acceptable *only* when it is unrelated to any commercial activity and is in line with legitimate police activity. For example, this restriction does not mean that Police officers cannot attend business locations e.g. shopping centres, to distribute information and to interact with the community as part of their community based policing activities.

Example: What if the commercial event aligns with policing policy?

A Government road safety objective is to ensure that all vehicles are roadworthy. However, an activity where a tyre retailer advertises that the public can have their tyres checked at the retailer's premises for free is clearly a sales promotion for the retailer. Thus Police are not permitted to participate in or endorse the activity.

Example: What if a police employee attends in his/her own time?

Generally, Police employees may attend commercial events in a private capacity. However, if staff attend as private citizens, they must avoid creating the impression that they are there in an official capacity. Police Force uniforms must not be worn. Also, any comments made at the event must avoid reference to the person's position within the Police Force, and must not be seen to represent an official police view.

If a Police employee thinks that attending in a private capacity may create an actual, potential or perceived conflict of interest, they must notify their supervisor prior to attending and cooperate in managing the conflict. See section 6.3 for details.

## 2.3 POLICE USE OF PRODUCTS AND SERVICES

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Suppliers may advertise the fact that they are a supplier of products or services to the NSW Police Force, but must not use images of staff or police equipment (including motor vehicles and boats) in advertising or promotions. Refer any

requests for such promotional opportunities to the Corporate Communications Unit, Public Affairs Branch.

*Employees must not provide commercial endorsements.* However, this does not prevent employees from speaking or providing quotes about experiences with a particular product in all circumstances.

Example: When can a police officer comment?

An employee may speak at a conference, or provide comment for an industry magazine article, on experiences using a particular product. Comment must be limited to factual experience regarding how the NSW Police Force uses that product and the policing environment. The comments must not be a statement of support for a product or refer to the qualities or otherwise of the company or staff providing the product.

If considering commenting on a product, employees must be careful not to disclose information about police investigations or police methodology. The comments must be approved by the staff member's Business Unit Commander/Manager.

### 3. NON-COMMERCIAL ENDORSEMENT

#### 3.1 WHAT IS NON-COMMERCIAL ENDORSEMENT?

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The NSW Police Force can provide non-commercial endorsement if the:

- (a) Endorsement is for an *activity or event, and*
- (b) Activity or event is organised by a government agency, not for profit community organisation or charity, *and*
- (c) Activity or event:
  - Supports the NSW Police Force mission to work with the community to reduce violence, crime and fear
  - Does not create an actual, potential or perceived conflict of interest between the organisation and the NSW Police Force
  - Provides a positive image for the NSW Police Force, and
  - Does not provide a commercial benefit or profit.

#### **No Commercial Benefit**

'No commercial benefit or profit' means that any money raised by the event or activity must directly benefit the objective of the event, agency, charity or community organisation. While some of the funds raised may be used to pay reasonable costs and expenses for the event or activity, none of the money may be transferred directly or indirectly by way of dividend, bonus or otherwise by way of profit or return of capital to any member or organisation.

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## 3.2 EXAMPLES OF NON-COMMERCIAL ENDORSEMENT

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Police regularly support community activities and charities, e.g. school fetes, council parades, etc. These activities enhance our positive image, foster communication with the public, and encourage public support for policing programs. This type of involvement is not for commercial gain and is entirely consistent with community-based policing principles.

Example: Endorsement through Branding with Police logo

At times the Police Force supports local council initiatives to benefit the local community by putting the NSW Police Force crest on posters and flyers.

Example: Promoting in Police Stations

The Police Force may display promotional material in police stations for a community based fun run, or allow staff to be photographed in uniform as part of the event promotions.

Example: Sale of merchandise

A community organisation may conduct an activity to raise money for the homeless via the sale of merchandise. If all the profits go toward the organisation's community objective – assisting the homeless - then there is no commercial benefit. However, if a portion of the sales go to the manufacturer of the merchandise *as profit*, then there is a commercial benefit and police cannot endorse the event.

Example: Attending a charity event

A charity may organise a fund raising event involving celebrities and members of high profile organisations like the Police Force to raise money for cancer research. The Police endorsement sought could involve providing police officers for the event in uniform, during working time, as representatives of the NSW Police Force.

If the charity's constitution states that the money raised must be spent on the charity's objective of cancer research, then the event could be considered for non-commercial endorsement. This event can be considered even if some of the funds raised are used to pay wages and expenses incurred as part of the charity's operations, as long as money is not paid out to any person or organisation as a profit, dividend, bonus or in any other return on capital.

## 4. APPROVAL PROCESS FOR NON-COMMERCIAL ENDORSEMENT

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### 4.1 THE APPLICATION FOR ENDORSEMENT

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A formal written request for NSW Police Force non-commercial endorsement must be submitted by a senior official of the body organising the event. The application

must include the following information to allow an informed decision to be made on the proposal:

- The circumstances which led to the request for non-commercial endorsement
- Details on the event or activity to be endorsed
- Details of the type of police endorsement sought by the organisation for the event
- The government agency, not for profit community body, or charity organising the event or activity (including proof of status as a charity etc)
- Details of the central contact person for police liaison with the organisation
- Details of the organising committee
- Details of any other (supporting) organisations involved in the event
- A statement that the organising body or supporting organisations are not subject to regulation or inspection by the NSW Police Force, such as:
  - Licensed premises including clubs and hotels
  - Gaming companies
  - Security industry companies
  - The sex industry
  - Tobacco companies
  - Pawn brokers and second hand dealers
  - The firearms and weapons industry.
- Details of the charitable or other community objective which is to gain the benefit of the event or activity
- A statement that the event is a not for profit event and that no individual or organisation will profit from the event. All monies or other benefits raised will go towards the charitable or other community objective.
- A statement that the applicant is not aware of any actual, potential or perceived conflict of interest relating to the NSW Police Force, or with any Police Force employees. Any conflict of interest must be identified and detailed.
- Acknowledgement that if Police Force endorsement is granted, the conduct of the organisation or event reflects on the Police Force. Also, that the organisation will ensure that any activities which could reasonably be viewed as bringing the Police Force into disrepute do not occur or are quickly identified and terminated.

A hand out advising applicants of the details that must be included in the application is available at Appendix A.

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## 4.2 THE TYPE OF ENDORSEMENT

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The application must contain details of the type of police endorsement sought by the organisation.

The NSW Police Force must be clear about the nature of what the police endorsement will involve for a proper assessment to be made. For example, will the NSW Police Force endorsement involve:

- Putting the NSW Police Force crest on posters and flyers
- Display to the public and/or staff of promotional material in police stations
- Allowing staff to be photographed in uniform as part of the event promotions.
- Participation of uniformed police in the event.

### Use of the NSW Police Force insignia or logo

The use of the police *corporate brand* i.e., the name 'police', insignia, logo or crest, checked band, slogan or motto etc., is restricted under sections 203-5 of the *Police Act 1990*.

Any request to use the corporate brand as part of a police endorsement proposal requires the authorisation of the Director, Public Affairs Branch, in accordance with the NSW Police Force *Corporate Branding Policy*. The Director, Public Affairs Branch, has the discretion to grant a licence to use the insignia on specified documents or materials for a particular event or purpose.

If a proposal that includes use of the corporate brand is approved by the delegated approving officer (as defined at section 5.1) it must then be forwarded for the approval of the Director, Public Affairs Branch.

The *Corporate Branding Policy* describes the process for using the insignia or logo. As a general rule though, the insignia or logo should not be overshadowed or compromised by other logos and trademarks.

Contact the Corporate Design Team, Corporate Communications Unit, Public Affairs Branch, for questions regarding the operation of the *Corporate Branding Policy*.

#### Example: Use of word "Police"

As part of an event to raise money for charity, the Police Force may be asked to endorse the use of the word "Police" and other police livery on an older model ex-police vehicle, for use as part of the charity event. If the delegated approving officer supports the proposed event, then the proposal must next be forwarded to the Corporate Communication Unit, Public Affairs, for the Director, Public Affairs, to approve the use of the police livery on the older model vehicle.

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### 4.3 ASSESSMENT CRITERIA

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The application for non-commercial endorsement of a particular event must be assessed and then a written recommendation presented to the delegated approving officer, after obtaining the support of the relevant endorsing officers (see details at section 5.1 below).

When considering an application and the police assessment, the delegated officer must weigh the benefit to the Police Force against the opportunity costs (resources, staff time etc) and risks (potential negative impact on the police image). Do the endorsement benefits outweigh the risks and costs?

In assessing the application, the officer drafting the recommendation, and the delegated officer, must take into account the application and the following criteria.

#### **Non Complying Applications**

- The NSW Police Force does not provide commercial endorsements. All applications seeking commercial endorsement are to be rejected.
- The NSW Police Force does not endorse organisations, individuals, products or services. All applications seeking commercial or non-commercial endorsement of organisations, individuals, products or services are to be rejected.
- The NSW Police Force only endorses events or activities organised by government agencies, not for profit community organisations or charities. All applications with other types of bodies organising the event are to be rejected. (Other organisations may support the event but cannot be the organiser, or subject to regulation or inspection by the NSW Police Force.)

#### **Alignment with Police Objectives**

- The event must support the NSW Police Force mission to work with the community to reduce violence, crime and fear.
- The event or the organisation seeking non-commercial endorsement must not create an actual, potential or perceived conflict of interest with the NSW Police Force.
- The organising agency or supporting organisations involved in the event must not be subject to regulation or inspection by the NSW Police Force.
- The event must not conflict with broader NSW Government or Government agency objectives.

#### **Positive Image**

Do not endorse an event or activity which is likely to lead to public criticism of the NSW Police Force. Care must be taken to consider community expectations and standards, and public perceptions of the event or activity and those organising it.

- The event must provide a positive image for the NSW Police Force

- It must be appropriate for the NSW Police Force to be associated with the body organising the event and the organisations supporting it. Can the association that results from the proposed endorsement withstand internal or external scrutiny?
- Are the objectives, products or services of the organising and supporting bodies consistent with the objectives, products and services of the NSW Police Force?

### **No commercial benefit**

- There must be no commercial benefit or profit. Money or other benefits raised by the event or activity must directly benefit the objective of the event or agency, charity or community organisation. (While some funds raised can go towards paying reasonable costs and expenses for the event or activity, none of the money can be paid out as any form of profit to any person or organisation.)
- Police endorsement of the *event or activity* must not involve explicit endorsement of any individuals, organisations, products or services involved in the event.
- Police Force employees must not seek or receive any personal benefit from the endorsement.
- The NSW Police Force must not seek or receive money or any other commercial benefit for providing an endorsement.

### **Financial cost to Police**

- Identify and estimate the direct cost to NSW Police Force – the diversion of police resources, the cost of staff time etc – that will be caused by redirecting resources to endorse the event.
- The cost of police time should not be included if police officers used for the endorsement could easily be provided using personnel that would ordinarily be on duty at or about the location of the event; as long as regular policing services are not compromised. The Local Area Commander(s) must approve any endorsement participation by their staff during rostered shifts.

### **Type of Endorsement**

- Is the type of endorsement proposed cost effective and acceptable to the Police Force?
- If not, an alternative range or type of endorsement can be offered.

### **No Compromising**

- Endorsement of the event must not compromise or impose or imply conditions that will limit, or appear to limit, the Police Force's ability to carry out its functions fully and impartially.

- Endorsement of the event must not compromise or contravene existing sponsorship agreements entered into with the NSW Police Force.
- Will the endorsement affect other Local Area Commands, other Police Commands, or corporate Spokespersons? If so, consult with the affected command, unit or spokesperson.

A summary of the decisions to be made in assessing and deciding on an application is located at appendix G.

## Repeat Events

Just because an event or activity has been endorsed the previous year, or for a number of years, this does not mean further endorsement is guaranteed. Circumstances may change or a more detailed analysis may identify unacceptable risks or costs etc. Each application must be assessed and judged on its individual merits as if for the first time.

# 5. AUTHORISATION

## 5.1 DELEGATION OF AUTHORITY

Following assessment of an application in accordance with section 4 above, the delegated authority to approve or reject non-commercial endorsement of an event or activity is outlined in the tables below.

### Local Area and Region Commands

Coverage of Event or Activity	Endorsed by	Approved by
Locally based – limited to one Local Area Command  (eg., A local Fete)	<ul style="list-style-type: none"> <li>▪ Local Area Manager</li> </ul>	<ul style="list-style-type: none"> <li>▪ Local Area Commander</li> </ul>
Regional coverage – two or more Local Area Commands  (eg., A fun run crossing LAC boundaries)	<ul style="list-style-type: none"> <li>▪ Affected Local Area Commanders; and</li> <li>▪ Region Manager</li> </ul>	<ul style="list-style-type: none"> <li>▪ Region Commander</li> </ul>
State wide coverage – two or more Regions  (eg., Movember)	<ul style="list-style-type: none"> <li>▪ Director, Public Affairs Branch; and</li> <li>▪ General Counsel, Office of the General Counsel; and</li> <li>▪ Director, Financial Services</li> </ul>	<ul style="list-style-type: none"> <li>▪ Deputy Commissioner, Field Operations, or</li> <li>▪ Commissioner</li> </ul>

Event or Activity also seeks use of Corporate Brand  (eg., Bluey Day)	<ul style="list-style-type: none"> <li>▪ Endorsement as required by the coverage of the event or activity, <i>plus</i></li> <li>▪ Manager, Corporate Communications Unit, Public Affairs Branch</li> </ul>	<ul style="list-style-type: none"> <li>▪ Approval as required by the coverage of the event or activity <i>plus</i></li> <li>▪ Director, Public Affairs Branch</li> </ul>
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A Command, such as a Local Area Command, may consider endorsing an event and request the presence of non-LAC personnel, for example local Scene of Crime Officers, as part of the police endorsement to highlight forensic work. Before approving the endorsement of the event, sign off from the appropriate Command, in this case the Forensic Services Group, is required for deployment of that Command's staff as part of the police endorsement of the event.

#### All other Commands (Non Local Area or Region Commands)

Coverage of Event or Activity	Endorsed by	Approved by
Locally based – limited to the area of one Local Area Command	<ul style="list-style-type: none"> <li>▪ Business Manager, Business Unit, or</li> <li>▪ Command Business Manager</li> </ul>	<ul style="list-style-type: none"> <li>▪ Business Unit Commander/Manager at Superintendent or Clerk Grade 11/12 level or above or</li> <li>▪ Command Director/Commander at Assistant Commissioner level or equivalent, if the endorsement involves several Business Units within one Command, or involves two or more Commands (such as FSG and SSG)</li> </ul>
Regional coverage – limited to the area of two or more Local Area Commands	<ul style="list-style-type: none"> <li>▪ Command Business Manager</li> </ul>	<ul style="list-style-type: none"> <li>▪ Command Director/Commander at Assistant Commissioner level or equivalent</li> </ul>
State wide coverage – two or more Region areas	<ul style="list-style-type: none"> <li>▪ Director, Public Affairs Branch; and</li> <li>▪ General Counsel, Office of the General Counsel; and</li> <li>▪ Director, Financial Services</li> </ul>	<ul style="list-style-type: none"> <li>▪ Deputy Commissioner, or Executive Director, Corporate Services, as appropriate, or</li> <li>▪ Commissioner</li> </ul>

Event or Activity also seeks use of Corporate Brand	<ul style="list-style-type: none"> <li>▪ Endorsement as required by the coverage of the event or activity, <i>plus</i></li> <li>▪ Manager, Corporate Communications Unit, Public Affairs Branch</li> </ul>	<ul style="list-style-type: none"> <li>▪ Approval as required by the coverage of the event or activity <i>plus</i></li> <li>▪ Director, Public Affairs Branch</li> </ul>
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## 5.2 REJECTION OF APPLICATIONS

If the delegated officer decides to reject the application, a response must be made in writing to the applicant as soon as possible to advise on the outcome.

Form letters are attached for advising of the rejection of applications because:

- The application sought a commercial endorsement (appendix B)
- The application sought endorsement of an organisation, individual, product or service (appendix C)
- The application was for an event *not* organised by a government agency, not for profit community organisation or charity (appendix D); or
- The application failed to meet the required assessment criteria (appendix E).

## 5.3 THE LETTER OF AGREEMENT

Once the delegated officer has approved the event for endorsement, and the type of police assistance this endorsement will provide, then the endorsement offer can be made to the applicant.

*Any endorsement arrangement must be set out in a written agreement.*

The Agreement should clearly spell out the intentions of both the Police Force and the organisation. This step seeks to avoid any misunderstanding or false expectations, and is in keeping with our commitment to corruption resistance.

This formal agreement will usually be in letter format. The letter should contain some or all of the points below, as relevant:

- The organisation's full corporate name
- A description of the event or activity to be endorsed, the time period of the event or activity, and the objective
- The nature of the endorsement the NSW Police Force will provide
- Contact details of the NSW Police Force Coordinator and the organising body's central contact person
- Any obligations, rights and responsibilities of either party, for example:

- If approval is given to use the *Corporate Brand*, its application on banners, clothing, event signage or promotional items must first be approved by the Public Affairs Branch.
  - The Public Affairs Branch, on behalf of the Police Force, has a right to veto the content of any articles or advertising material developed by the organisation in relation to, or referring to, the event. The veto is to be used, for example, to ensure this material does not imply endorsement of the organisation's products or services.
- A statement that the endorsement has no impact on the impartial execution by police of their duties.
  - A statement that the endorsement of the event or activity does not imply endorsement of an organisation, individual, service or product, and the organisation will not claim or imply such endorsement in any public communications or advertising.
  - A statement that the Police Force may at any time and without prior notice withdraw any staff provided to the event for the purposes of dealing with an emergency.
  - Termination conditions, including a period of notice. For example, see section 6.2 below.

Appendix F contains a pro forma endorsement letter of agreement which business units may reproduce and amend to suit the circumstances of individual events or activities.

If you have any doubts or difficulties with the content or details of the letter of agreement for specific events, seek the advice of the Corporate Communications Unit, Public Affairs Branch.

## **6. MANAGING THE ENDORSEMENT**

### **6.1 COORDINATION AND CONTROL**

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A staff member must be nominated by the delegated approving officer to have overall responsibility for coordinating police involvement in, and endorsement of, the event or activity. The staff member will be the contact point between the organisation and the NSW Police Force.

The Coordinator must ensure the endorsed event receives the agreed benefits from the NSW Police Force.

The endorsement arrangement must be monitored by the Coordinator throughout its lifespan to ensure compliance with the letter of agreement.

Should circumstances vary so that the agreement is not adhered to, or risks are identified, then the suitability of the endorsement arrangement must be reviewed (see section 6.2 below).

Ideally one person should retain the role of Coordinator for the life of the endorsed event or activity. However, if the officer performing the Coordinator role moves to a different role, the delegated approving officer must appoint a replacement officer. The outgoing Coordinator must provide a handover briefing to the new Coordinator. This action will ensure a smooth transition and continuing oversight of police involvement in the activity.

## **6.2 MODIFICATION OR CANCELLATION OF ENDORSEMENT**

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Should circumstances vary so that the agreement is not adhered to, or risks are identified, then the suitability of the endorsement arrangement must be reviewed and a decision made by the delegated officer on whether to continue, vary or terminate the agreement.

Circumstances which may lead to the modification or termination of an endorsement agreement can include the following situations:

- A significant change in the event's or the organising body's mission or objectives
- When there is a breach of the endorsement agreement, and the breach is unlikely to be rectified
- It becomes evident that a person or organisation will receive a commercial benefit from the event
- Criminal investigations involving the organising body are taking place
- A merger or other event causes a conflict of interest that cannot be reasonably managed
- The organising body becomes subject to regulation or inspection by the Police Force
- Serious adverse publicity has been attracted by the organising body
- NSW Police Force integrity could become an issue
- The organising body's action results in public criticism that reflects poorly on the NSW Police Force, or brings our probity into question.

Consult the Office of the General Counsel before a decision is taken to modify or terminate an endorsement agreement. If following consultation a decision is made to terminate the agreement, then written advice should be obtained from the Office of the General Counsel setting out the reason for termination and the effective termination date.

## **6.3 CONFLICTS OF INTEREST**

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The *Conflicts of Interest Policy and Guidelines* states that it is the responsibility of all employees to take reasonable steps to:

- Identify and avoid actual, potential or perceived conflicts of interests

- Report those conflicts of interest which cannot be avoided, and
- Cooperate in their management.

NSW Police Force employees associated with the endorsement process, particularly those endorsing, approving or coordinating the endorsement, must take great care to ensure that actual, potential or perceived conflicts of interest do not arise; and identify and declare any such conflicts if they do arise.

Where a conflict of interest arises, the staff member concerned must immediately notify their Commander or supervisor in writing. Commanders/Supervisors and the affected employees are required to cooperatively identify and implement strategies to manage conflicts of interest to protect the integrity of the employee, Police Force and the endorsement process.

The five standard strategies for managing conflicts of interest are:

1. Record the conflict – declaring and recording low-risk conflicts of interest. (All conflicts must be recorded as a minimum response.)
2. Restrict the employee's involvement by separating him/her from parts of an activity or process (such as decision making)
3. Appoint an independent third party to oversee, audit and/or review the duties affected by the conflict of interest
4. Remove the person from the situation
5. Relinquish the personal interest.

Failure to act appropriately on a conflict of interest is a breach of the NSW Police *Code of Conduct and Ethics* and may result in management action.

Example: Conflict of interest in assessing applications

Applications for endorsement at Mockdale Local Area Command are assessed by the Local Area Manager. A charity whose manager is a close relative of the LAM, applies to the LAC for endorsement of a local event. On receipt of the application the LAM reports her conflict of interest in writing to the Superintendent.

The Superintendent resolves the conflict by ensuring that the LAM has no involvement in processing the application. The Superintendent appoints the Crime Manager to assess the application. The Crime Manager seeks advice on any issues from the person in a neighbouring LAC who processes endorsements, or from the Corporate Communications Unit, Public Affairs. The Superintendent makes a decision based on the Crime Manager's assessment. The conflict of interest and the management strategy to resolve it are fully noted and kept confidential in a local file.

For more detail on conflicts of interest see the NSW Police *Conflicts of Interest Policy and Guidelines*.

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## 6.4 CORRUPT OR UNETHICAL CONDUCT

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Police Force employees must not seek or receive money or any other personal benefit from an endorsement, or provide personal benefits to others.

Point 10 of the *Code of Conduct and Ethics* states that all employees must report the misconduct of other employees of the NSW Police Force. The *Standards of Professional Conduct* define misconduct to include criminal offences, corrupt or unethical conduct, serious mismanagement and the substantial waste of public resources.

Additionally, police officers have legislative obligations to report corrupt or unethical conduct under clause 49 of the *Police Regulation 2008*. Certain protections from reprisal are available under the *Police Act 1990* and the *Protected Disclosures Act 1994*.

If staff identify any misconduct in an endorsement process, it can be reported to any employee senior in rank or grade, or through the Corruption Hotline on 1 800 060 205.

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## 6.5 RECORD OF TRANSACTION

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A copy of the application, correspondence with the applicant, the assessment and recommendation to the delegated approving officer, the letter of agreement, and any other related documents must be retained by the command on a registered Trim file. The file must be available for audit purposes and for performance reviews.

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**Title:** NSW Police Force Endorsement Policy  
**Subject:** Policy and Procedures  
**Command Responsible:** Public Affairs Branch  
**Available to:** Restricted  
**Publication date:** February, 2009  
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### CAVEAT

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## Appendix A: Application for Police Endorsement: Information

### NSW POLICE FORCE



# INFORMATION ON APPLICATIONS FOR POLICE ENDORSEMENT

## POLICE FORCE ENDORSEMENT

The NSW Police Force may endorse an *activity or event* organised by a government agency, not for profit community organisation or charity, if it:

- Supports the NSW Police Force mission to work with the community to reduce violence, crime and fear
- Does not create an actual, potential or perceived conflict of interest between the applying organisation and the Police Force
- Provides a positive image for the NSW Police Force, and
- Does not provide a commercial benefit or profit.

The Police Force does not endorse organisations, individuals, products or services.

## APPLICATION PROCESS

To seek Police Force endorsement of an event or activity, a formal written request must be submitted by the body organising the event.

The application must be signed by a senior official of the organisation and must include the following information:

- The circumstances which led to the request for Police Force endorsement
- Details of the event or activity for which endorsement is sought
- Details of the type of police endorsement sought by the organisation for the event.
- The government agency, not for profit community body, or charity organising the event or activity (including proof of status as a charity etc)
- Details of the central contact person for police liaison with the organisation.
- Details of the organising committee
- Details of any other (supporting) organisations involved in the event

- A statement that the organising body or supporting organisations are not subject to regulation or inspection by the NSW Police Force, such as:
  - Licensed premises including clubs and hotels
  - Gaming companies
  - Security industry companies
  - The sex industry
  - Tobacco companies
  - Pawn brokers and second hand dealers
  - The firearms and weapons industry.
- Details of the charitable or other community objective which is to benefit by the event or activity
- A statement that the event is a not for profit event and that no individual or organisation will profit from the event. All monies or other benefits raised will go towards the charitable or other community objective.
 

While some of the funds raised can go towards paying reasonable costs and expenses for the event or activity, none of the money may be transferred directly or indirectly by way of dividend, bonus or otherwise by way of profit or return of capital to any individual or organisation.
- A statement that the applicant is not aware of any actual, potential or perceived conflict of interest relating to the NSW Police Force, or with any Police Force employees. Any conflict of interest identified must be detailed.
- Acknowledgement that if Police Force endorsement is granted, the conduct of the organisation or event reflects on the Police Force. Also, that the organisation will ensure that any activities which could reasonably be viewed as bringing the Police Force into disrepute do not occur or are quickly identified and terminated.

If further information (e.g., a copy of the organisation's articles of association or audited annual report financial statements) or clarification or negotiation on your application is needed, the Police Force will contact the central contact person nominated in the application.

The NSW Police Force will assess your application and provide a written response.

## **LETTER OF AGREEMENT**

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If your application is successful the letter in reply will set out:

- The nature of the endorsement the Police Force will offer
- The terms and conditions under which it is offered, and
- Details of the Police officer who will be the central point of contact between your organisation and the NSW Police Force.

The application process is completed if you reply advising in writing that you accept the endorsement and terms and conditions described in the letter.

## Appendix B: Standard letter of Rejection for Commercial Endorsement

[Applicant address]

Dear [applicant],

I refer to your application on behalf of ..... [organisation's full corporate name] seeking endorsement for the ..... [name of the organisation, individual, service, product or event].

I am sorry to advise that I am unable to assist you in this matter.

The NSW Police Force does not provide commercial endorsements of any kind. This policy applies irrespective of the circumstances of the application or the quality of the organisation, individual, service, product or event.

Thank you for taking the trouble to bring this matter to my attention and I wish you every success with your venture.

Yours sincerely,

XXXXXXXXXX  
XXXXXXXXXX  
XXXXXXXXXX [Details of delegated Officer]

## Appendix C: Standard letter of Rejection for Endorsement of Individuals, Organisations, Services or Products

[Applicant address]

Dear [applicant],

I refer to your application on behalf of ..... [organisation's full corporate name] seeking endorsement for the ..... [name of the organisation, individual, service, or product].

I am sorry to advise that I am unable to assist you in this matter.

The NSW Police Force does not provide endorsements of individuals, organisations, services or projects, irrespective of quality or the circumstances of the application.

Thank you for taking the trouble to bring this matter to my attention and I wish you every success with your venture.

Yours sincerely,

XXXXXXXXXX  
XXXXXXXXXX  
XXXXXXXXXX [Details of delegated Officer]

## Appendix D: Standard letter for Rejection for Inappropriate Organisations

[Applicant address]

Dear [applicant],

I refer to your application on behalf of ..... [*Organisation's full corporate name*] seeking endorsement for the ..... [[name of the event] event.

I am sorry to advise that I am unable to assist you in this matter.

The NSW Police Force Endorsement Policy states that endorsement can only be granted to an event or activity organised by a government agency, not for profit community organisation or charity. As your organisation does not meet this criterion endorsement cannot be provided for your event.

This policy applies irrespective of the circumstances of the application or the quality of the organisation or activity.

Thank you for taking the trouble to bring this matter to my attention and I wish you every success with your venture.

Yours sincerely,

XXXXXXXXXX  
XXXXXXXXXX  
XXXXXXXXXX [Details of delegated Officer]

## Appendix E: Standard letter for Rejection for Applications following Assessment

[Applicant address]

Dear [applicant],

I refer to your application on behalf of ..... [*Organisation's full corporate name*] seeking endorsement for the ..... [[name of the event] event.

Thank you for submitting the application for endorsement. Your proposal has been given careful consideration.

I am sorry to advise that on this occasion your application for Police Force endorsement has not been successful.

***If relevant*** – The Police Force was unable to endorse your event/activity primarily because ..... [*Details of the key reason or reasons why the application did not meet the criteria for endorsement.*]

I appreciate your taking the trouble to prepare the application and sorry that I am unable to assist you with this event/activity.

Yours sincerely,

XXXXXXXXXX  
XXXXXXXXXX  
XXXXXXXXXX [Details of delegated Officer]

## Appendix F: Standard Letter of Agreement

[Applicant address]

Dear [applicant],

I refer to your application on behalf of ..... [organisation's full corporate name] seeking endorsement for the ..... [name of the event] event.

I am pleased to advise that your application for NSW Police Force endorsement of the ..... event has been successful.

### **The Event**

I understand that the event will start at ..... [time and date] and end at ..... [time and date] and will involve ..... [description of the event].

The objective of the event is to ..... [description of objective eg., to raise money for cancer research].

### **Police Endorsement**

The NSW Police Force agrees to provide the following endorsement of the event:

- [description of police involvement]
- [description of police involvement]
- [description of police involvement].

The NSW Police Force agrees to provide the above endorsement for the duration of the event, on condition that the ..... [name of organisation] advises in writing that it accepts the terms and conditions set out in this letter.

### **Coordination**

The NSW Police Force Coordinator for the event is ..... [name of contact].

The Coordinator is the central police contact point for organising our involvement in the event. .... [Name of police contact] can be contacted by telephone ....., facsimile ....., and email at .....

I understand that [name of organisation's contact] is the central contact point for NSW Police Force liaison with ..... [name of organisation], and that .... [he/she] can be contacted by telephone ....., facsimile ....., and email at .....

## Special Conditions

[Insert details of any special conditions set by the Police Force or organisation, for example:]

- ..... [name of organisation] shall notify the Police Force Coordinator immediately of the cancellation, postponement or change of size, objective or nature of the event.
- Any application of the NSW Police Force corporate brand on event banners, clothing, signage or promotional items etc., must have the prior approval of the Public Affairs Branch, NSW Police Force.
- The Public Affairs Branch, on behalf of the Police Force, retains the right to veto the content of any articles or advertising material developed in relation to, or referring to, the event.
- ..... [name of organisation] shall have adequate insurances for the event, including public risk insurance, and will produce evidence of such insurance to the NSW Police Force on demand.
- Police Force endorsement of the event has no impact on the proper and impartial exercise by the NSW Police Force of its functions and responsibilities.

NSW Police Force endorsement of the ..... [name of the event] does not imply endorsement of ..... [name of organisation] or its personnel, services or products, or endorsement of any of the event's supporting organisations. The ..... [name of organisation] or the event's supporting organisations will not claim or imply such endorsement in any public communications or advertising.

## Termination of Agreement

Circumstances which may lead the NSW Police Force to amend or terminate the endorsement offered for the event, include the following situations:

- A significant change in the event's or the ..... [name of organisation's] mission or objectives
- When there is a breach of the endorsement agreement, and the breach is unlikely to be rectified
- If it becomes evident that a person or organisation will receive a commercial benefit from the event
- If criminal investigations involving the ..... [name of organisation] or any of its senior members are taking place
- If a merger or other circumstance causes a conflict of interest that cannot be reasonably managed
- ..... [name of organisation] becomes subject to regulation or inspection by the Police Force
- The event or the ..... [name of organisation's] actions result in serious adverse publicity and/or public criticism that brings into question the probity or integrity of the NSW Police Force.

## **Dispute Procedures**

If a dispute arises between the ..... [organisation's full corporate name] and the NSW Police Force regarding this Agreement, both organisations will endeavour in good faith to settle all matters in dispute between them.

If the ..... [organisation's full corporate name] or the NSW Police Force is of the view that the other party has breached a term of this Agreement, the party alleging the breach may notify the other party in writing of the details of the alleged breach and call upon that party to remedy the breach within fourteen (14) days of the notice.

Where a party has called upon the other party to remedy a breach and the breach is not so remedied within the fourteen (14) day period specified, the party alleging the breach may, as its option, serve upon the other party a notice in writing specifying a date not less than fourteen (14) days from the date of the notice, for termination of this Agreement.

Either party may terminate this Agreement without assigning any reason for such termination by giving the other 60 days notice in writing of its intention to do so.

## **Emergency Operations**

Police personnel are at all times subject to the control and direction of the NSW Police Commissioner. If police personnel are provided for the event, the Police Force reserves the right to utilise any police staff deployed at the event for emergency operations, and may at any time and without prior notice withdraw such members for the purposes of dealing with an emergency.

The NSW Police Force shall not be held responsible or liable in respect of any damage, injury or loss arising because of withdrawal of any members of the NSW Police Force from the event.

I am pleased to make this offer of endorsement and look forward to the success of the event.

Yours sincerely,

[Name]  
[rank/title]  
NSW Police Force

### Appendix G: Decision Summary Flow Chart

**Application received seeking Police Endorsement.**

