

POLICE FEDERATION FUND RULES 2015

These Fund Rules have been produced for the information of all contributing members to the Police Federation Voluntary Funds.

The Police Federation Fund Rules are made under the provisions of The Police Federation Regulations 1969, Part III as amended, having been agreed by the Police Federation Annual Conference 2015 and approved by the Secretary of State for Home Affairs.

The Fund Rules specify the use to which Federation Funds may be put, but reference should also be made to the Police Federation Regulations.

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PART 1 ESTABLISHMENT AND MAINTENANCE OF FUNDS, SOURCE OF FUNDS, SUBSCRIPTIONS AND AUDITS

ESTABLISHMENT AND MAINTENANCE OF FUNDS

1. The following Funds will be maintained within the Federation at national level:
 - 1.1. the Constables' Central Committee Fund;
 - 1.2. the Sergeants' Central Committee Fund;
 - 1.3. the Inspectors' Central Committee Fund; and
 - 1.4. the Joint Central Committee Fund
2. The Funds maintained under Rule 1 above shall be known as respectively:
 - 2.1. the Police Federation (Constables') Fund;
 - 2.2. the Police Federation (Sergeants') Fund;
 - 2.3. the Police Federation (Inspectors') Fund; and
 - 2.4. the Police Federation Joint Fund.
3. A Joint Branch Board Fund will be maintained within the Federation in each Force.
4. In each Force the following Funds may be set up and maintained within the Federation:-
 - 4.1. the Constables' Branch Board Fund;
 - 4.2. the Sergeants' Branch Board Fund; and
 - 4.3. the Inspectors' Branch Board Fund.
5. In any Force, in lieu of a Constables', Sergeants', and Inspectors' Branch Board Fund and, by agreement, a Joint Branch Board Fund only may be maintained to receive the total contributions from Members which would otherwise have been held in separate Branch Board Funds and shall be applied in financing the activities of the separate Branch Boards.

SOURCE OF FUNDS

6. The Federation may raise funds by the collection of voluntary subscriptions and the acceptance of donations from Members, and in any other manner which is compatible with its objects and purposes, including:
 - 6.1. by borrowing money from any person or persons or body corporate, or other legally constituted body authorised to lend on such security and upon such terms as may from time to time be arranged, by interest on capital or by commissions;

- 6.2. by acceptance of donations or gifts, whether directly or by bequest, providing the acceptance of such donations or gifts shall not affect or interfere with the impartial discharge of police duties;
- 6.3. by the sale of periodicals or articles and publications, and such other matters or items which can be considered incidental to, and compatible with, the objects and purposes of the Federation;
- 6.4. by receiving the income raised by the Federation or any other party on its behalf from business activities concerned in any way with any Exhibition or Conference constituted in accordance with the Regulations or otherwise;
- 6.5. by the receipt of commissions, introduction fees or administrative charges or any other payments arising from any member services (including for the avoidance of doubt, legal services) arranged by or on behalf of the Federation, including any services which are provided to non-members;
- 6.6. by receiving the income raised by the Federation from commercial use of its premises; and
- 6.7. by the sale of items of Federation memorabilia or merchandise.

SUBSCRIPTIONS

7. In order to be eligible for Membership Benefits in accordance with these Rules, a Member must pay (or in the case of a Retired Member, have paid) subscriptions in accordance with these Rules.
8. The weekly subscription will be such sum as is determined by the Joint Central Committee and approved by the Joint Central Conference.
9. Unless otherwise agreed by the Joint Central Conference, any increase in subscriptions shall take effect from the 1st of January in the year following the approval of the Joint Central Conference.
10. With effect from 1 January 2015 the subscriptions made by Members of each rank of each Force shall be allocated as follows:
 - 10.1. 30% shall be allocated to the appropriate Branch Board Fund (which shall be the rank Branch Board Fund where maintained, and otherwise to the Joint Branch Board Fund) and 70% to the Joint Central Committee Fund; and
 - 10.2. In relation to the contributions made by the cadets of each Force, 30% shall be allocated to the Force's Constables' Branch Board Fund (or where no such Fund is maintained, to the Joint Branch Board Fund), and the remaining 70% to the Joint Central Committee Fund.
11. For the avoidance of doubt, the allocation of 70% to the Central Committee Fund as referred to in Rule 10 will only apply to the sums raised from subscriptions from Members and shall not apply to funds raised by any other means permitted under these Rules.

AUDITS

12. In accordance with Regulation 18 of the Regulations:

12.1. Branch Boards and Central Committees shall keep detailed accounts of Federation funds held by them and shall have them audited annually by an independent auditor. After the end of each year a summary of the accounts for that year, together with a copy of the independent auditor's report thereon shall be made available:

12.1.1. by Branch Boards to their Qualifying Members; and

12.1.2. by Central Committees to the appropriate Central Conference;

12.2. a copy of the summary of the accounts and the independent auditor's report thereon in relation to each Branch Board shall be sent to the appropriate chief officer;

12.3. a copy of the summary of the accounts and the independent auditor's report thereon in relation to each Central Committee shall be sent to the Secretary of State;

12.4. the summary of the annual accounts of the Central Committees, together with a copy of the independent auditor's reports thereon shall be published to Qualifying Members of the Federation;

12.5. each Branch Board shall send a summary of its annual accounts and a copy of the independent auditor's report thereon to the Treasurer of the appropriate Central Committee and, where the local Fund or Funds include the Joint Branch Board, a copy of such summary and report shall be sent to each Treasurer of the three separate Committees; and

12.6. a Central Committee shall send to the Secretary of State a copy of the summary of accounts and independent auditor's report of any Branch Board for which he/she may call.

PART 2 – ELIGIBILITY FOR MEMBERSHIP BENEFITS

13. Subject to the provisions of these Rules, where a Member is a Qualifying Member:

13.1. the Member (or, where appropriate, a member of his or her family) is entitled to apply for Legal Assistance to be provided in accordance with the provisions of these Rules; and

13.2. in the event of the Member's death:

13.2.1. a Death Benefit will be payable in accordance with Rule 19.10 provided that:

13.2.1.1. the Joint Central Committee has determined that a Death Benefit is payable; and

13.2.1.2. the level of any Death Benefit, the person or persons to whom it is payable and any conditions upon which it is paid will be as from time to time determined by the Joint Central Committee; and

13.2.2. a member of his or her family or his or her personal representative is entitled to apply for Legal Assistance to be provided in accordance with the provisions of these Rules.

14. A Qualifying Member is:

14.1. a Member (other than a Retired Member) who commences or has commenced payment of subscriptions within six months of joining the Police Service, provided that the Member's payment of subscriptions has been continuous with his or her police service; or

14.2. a Member who fails to commence payment of subscriptions within six months of joining the Police Service or ceases to pay contributions (other than in a case to which Rule 15 applies) and later elects to start or resume paying subscriptions and who is treated as a Qualifying Member in accordance with such protocol as the Joint Central Committee may from time to time apply. Such protocol may include restrictions, conditions or limitations on the entitlements of or in relation to such a Member.

15. Where a Member is on unpaid leave s/he will not be required to pay subscriptions, but shall remain a Qualifying Member, so long as s/he was a Qualifying Member at the beginning of the period of unpaid leave.

16. A Member who leaves Police Service is a Retired Member.

17. Where a Member is a Retired Member:

17.1. No Death Benefit is payable under Rule 19.10; and

17.2. the Retired Member (or, where appropriate, a member of his or her family or his or her personal representative) is entitled to apply for Legal Assistance to be provided in accordance with the provisions of these Rules so long as:

17.2.1. the Retired Member was a Qualifying Member when s/he left Police Service; and

17.2.2. the matter in relation to which Legal Assistance is sought

17.2.2.1. arose or relates to when the Retired Member was a member of a police force; or

17.2.2.2. concerns the eligibility of the Member (or a Member's survivor) to a pension or injury benefit;

17.3. Any application for Legal Assistance from a Retired Member (or, where appropriate, a member of his or her family or his or her personal representative) will be considered in accordance with such protocol as the Joint Central Committee may from time to time apply. For the avoidance of doubt, such protocol may include restrictions, conditions or limitations on the Legal Assistance provided to or in relation to such a Member, and such restrictions, conditions or limitations may be different to those (if any) applied to Qualifying Members.

PART 3 AUTHORISATION OF EXPENDITURE BY COMPONENT PARTS OF THE FEDERATION

18. Federation Funds may be used as set out in the following Rules.

A. THE POLICE FEDERATION JOINT CENTRAL COMMITTEE FUND

GENERAL EXPENDITURE

19. The Joint Fund may be used for the following purposes:

19.1. administrative expenses of the Joint Central Committee, including the provision of office accommodation, the payment of due taxes, the retention and payment of persons consulted in an administrative professional or advisory capacity, the engagement of all necessary staff, and generally in any manner which the Joint Central Committee shall deem necessary to enable it to carry out its functions;

19.2. the cost of and incidental to the running of the Federation's headquarters, including the hotel and catering operation;

19.3. expenses in connection with the publication and distribution of reports and other documents, including a journal or magazine, and the purchase of publications for the use of Central Committees and Branch Boards;

19.4. on the provision of training;

19.5. on:

19.5.1. such contributions as may be required under the Regulations in respect of the pay, pension or allowances payable to or in respect of members of the Joint Central Committee; and

19.5.2.1. any further amount necessary to ensure that the salaries of the Chairman, General Secretary or Treasurer of the Joint Central Committee ("the JCC Officers") are equivalent to that of the highest rate payable to a Chief Inspector in the Metropolitan Police Service; and

19.5.1.1.1. any additional pay or allowance to the JCC Officers; and

19.5.1.1.2. any additional pay or allowance to the Vice Chairman, Deputy General Secretary or Deputy Treasurer of the Joint Central Committee; and

19.5.1.1.3. any additional pay or allowance to any other member of the Joint Central Committee.

19.6. to meet, where not met from public funds, the cost of additional meetings of the Central Committees and of Sub-Committees, or any other meetings, and the costs of Members attending such training courses and other meetings as the Joint Central Committee shall from time to time authorise;

- 19.7. to defray the expenses incurred by Members in relation to Federation business and activities, in accordance with such protocol as the Joint Central Committee may from time to time apply;
- 19.8. on the arrangement and operation of member services, including insurance, medical and superannuation and similar schemes and any other service for the benefit of Members their partners and families and committee staff; and where agreed by the Joint Central Committee the benefit of non-members who are or were employed as police or Federation staff and the partners and families of such non-members;
- 19.9. to advance a loan or grant to a Committee, a Joint Branch Board or a Branch Board and upon such terms and conditions as the Joint Central Committee may determine;
- 19.10. on the payment of a Death Benefit on the death of a Qualifying Member. Whether a Death Benefit is payable, the level of any Death Benefit, the person or persons to whom it is payable and any conditions upon which it is paid will be as from time to time determined by the Joint Central Committee;
- 19.11. on charitable or benevolent purposes;
- 19.12. to authorise the payment of a sum of money to, or the purchase of a gift, the value not exceeding such limit as the Joint Central Committee shall from time to time decide, for any person, whether or not a Member where, in the opinion of the Committee, the individual has made a valid or recognisable contribution to the Federation or its Members;
- 19.13. on the arrangement and operation of any Federation event approved by the Joint Central Committee for the benefit of Members;
- 19.14. on the provision of welfare, support and facilities approved by the Joint Central Committee;
- 19.15. on the purchase of items of Federation memorabilia or merchandise for sale or otherwise; and
- 19.16. on any other matter which is incidental or conducive to the aims, purposes or operations of the Federation.

LEGAL ASSISTANCE

20. The Joint Fund may be used to meet the cost of legal advice and/or assistance for and to support legal action (including the defence of proceedings) by or on behalf of the Joint Central Committee and/or the Federation, including:
 - 20.1. payment of any related costs including, without limitation, expert fees, other disbursements and adverse costs orders;
 - 20.2. payment of any damages or compensation awarded against the Federation;
and

- 20.3. payment of any sum in connection with the settlement of a claim that has or might have given rise to legal proceedings against the Federation.
21. The Joint Fund may also be used to meet the cost of legal advice and/or assistance and to support legal action (including the defence of legal proceedings) in accordance with the following provisions of these Rules. Any such expenditure is referred to in these Rules as Legal Assistance.
22. Legal Assistance includes any related costs including, without limitation, medical and other expert fees, other disbursements and adverse costs orders.
23. The Joint Central Committee shall from time to time determine:
- 23.1. the manner in which any application for Legal Assistance shall be made;
- 23.2. the criteria by which the decision to provide any Legal Assistance and the extent and limitations on such Legal Assistance shall be determined (“a Funding Decision”);
- 23.3. whether there shall be any appeal against a Funding Decision, and if so what form such appeal should take; and
- 23.4. the terms upon which any Legal Assistance is provided, including any limitations and conditions.
24. Legal Assistance may be provided in relation to the following:

EMPLOYMENT

- 24.1. on any matter relating to police pay, allowances, expenses or pensions;
- 24.2. on any other matter relating to terms and conditions of service, including, without limitation, rostering, hours of work and lawful orders;
- 24.3. on any matter relating to the treatment of Members, including, without limitation, discrimination;
- 24.4. on pension or medical appeals (including appeals in relation to injury benefits);
- 24.5. on any other matter which the Joint Central Committee may from time to time consider appropriate to support in relation to the employment position of Members;

PERSONAL INJURY

- 24.6. to support claims for compensation by Members who have sustained injuries, whether on- or off-duty, including claims for clinical negligence, criminal injury or other statutory compensation;

24.7. to support claims for compensation by the personal representatives or members of families of Members who have died, whether on- or off-duty, including claims for clinical negligence, criminal injury or other statutory compensation; and

24.8. to support claims for compensation by or on behalf of or in relation to members of Members' families who have sustained injuries or died including claims for clinical negligence, criminal injury or other statutory compensation;

CRIME AND MISCONDUCT

24.9. in connection with criminal proceedings or potential criminal proceedings for any offence committed in, or founded upon something done or not done in the performance or purported performance of duties as a member of a Police Force or as a constable or where it is considered that criminal proceedings or potential criminal proceedings are only being initiated or considered due to the fact that the Member is or was a police officer;

24.10. in connection with proceedings or possible proceedings under such misconduct or unsatisfactory performance or unsatisfactory attendance provisions as are from time to time in force;

DEFAMATION AND PRIVACY

24.11. in connection with pre-publication advice, proceedings or possible proceedings for defamation, invasion of privacy, breach of confidence or any similar type of claim, provided that in relation to any advice, proceedings or potential proceedings for defamation the statement or alleged statement appears to relate to the Member's conduct as a member of a Police Force, or to disparage him/her in the office of constable or otherwise to cast doubt upon his/her fitness to be a member of a Police Force;

MISCELLANEOUS

24.12. on an appeal against any decision of a court, tribunal or similar body where the original decision was covered by these Rules (whether or not Legal Assistance had been granted in connection with the original decision);

24.13. in connection with proceedings at an inquest, inquiry or any other form of court, tribunal or similar body, whether or not the Member is formally a party to proceedings;

24.14. to support claims where a Member's property is damaged whilst on duty, or in circumstances arising out of or associated with duty;

24.15. to support claims by Members of negligence arising out of the provision of Legal Assistance, such assistance having been capable of being funded under these rules (but not including any claim by a Member against the Federation or a part thereof);

24.16. to support claims by Members of unlawful arrest and malicious prosecution; and

24.17. on any other matter which the Joint Central Committee may from time to time consider in the interest of the Federation to support.

B. THE RANK CENTRAL COMMITTEE FUNDS

GENERAL EXPENDITURE

25. A rank Central Committee Fund may be used for the following purposes:

25.1. administrative expenses of the Central Committee, including the provision of office accommodation, the payment of due taxes, the retention and payment of persons consulted in an administrative professional or advisory capacity, the engagement of all necessary staff, and generally in any manner which the Central Committee shall deem necessary to enable it to carry out its functions;

25.2. expenses in connection with the publication and distribution of reports and other documents, including a journal or magazine, and the purchase of publications;

25.3. on the provision of training;

25.4. to such extent as may be agreed by the Central Committee, in accordance with a decision of Annual Conference:

25.4.1. any contribution to public funds in respect of pension, pay or allowance to any member of the Central Committee; and

25.4.2. any additional pay or allowance to any other member of the Central Committee.

25.5. to meet, where not met from public funds, the cost of additional meetings of the Central Committee and of Sub-Committees, or any other meetings, and the costs of Members attending such training courses and other meetings as the Central Committee shall from time to time authorise;

25.6. to defray the expenses incurred by Members in relation to Federation business and activities, in accordance with such protocol as the Central Committee may from time to time apply;

25.7. on the arrangement and operation of member services, including insurance, medical and superannuation and similar schemes and any other service for the benefit of Members their partners and families and committee staff; and where agreed by the Central Committee the benefit of non-members who are or were employed as police or Federation staff and the partners and families of such non-members;

25.8. to advance a loan or grant to a Committee, a Joint Branch Board or a Branch Board and upon such terms and conditions as the Central Committee may determine;

25.9. on charitable or benevolent purposes;

- 25.10. to authorise the payment of a sum of money to, or the purchase of a gift, the value not exceeding such limit as the Central Committee shall from time to time decide, for any person, whether or not a Member where, in the opinion of the Committee, the individual has made a valid or recognisable contribution to the Federation or its Members;
- 25.11. on the arrangement and operation of any Federation event approved by the Central Committee for the benefit of Members;
- 25.12. on the provision of welfare, support and facilities approved by the Central Committee;
- 25.13. on the purchase of items of Federation memorabilia or merchandise for sale or otherwise; and
- 25.14. on any other matter which is incidental or conducive to the aims, purposes or operations of the Federation.

LEGAL ASSISTANCE

26. A rank Central Committee Fund may be used to meet the cost of legal advice and/or assistance for and to support legal action (including the defence of proceedings) by or on behalf of the rank Central Committee including:
 - 26.1. payment of any related costs including, without limitation, expert fees, other disbursements and adverse costs orders;
 - 26.2. payment of any damages or compensation awarded against the Federation; and
 - 26.3. payment of any sum in connection with the settlement of a claim that has or might have given rise to legal proceedings against the Federation.

C. BRANCH BOARD FUNDS

GENERAL EXPENDITURE

27. A Branch Board Fund may be used for the following purposes:
 - 27.1. administrative expenses including the provision of office accommodation, the payment of due taxes, the retention and payment of persons consulted in an administrative professional or advisory capacity, the engagement of all necessary staff, and generally in any manner which the Branch Board shall deem necessary to enable it to carry out its functions;
 - 27.2. expenses in connection with the publication and distribution of reports and other documents, including a journal or magazine, and the purchase of publications;
 - 27.3. on the provision of training;
 - 27.4. on granting honoraria to Branch Board members;

- 27.5. to meet, where not met from public funds, the cost of meetings of the Branch Board and of Sub-Committees, or any other meetings, and the costs of Members attending such training courses and other meetings as the Branch Board shall from time to time authorise;
- 27.6. to defray the expenses incurred by Members in relation to Federation business and activities, including:
- 27.6.1. meeting the difference between the actual cost incurred by delegates and observers attending conferences of the Federation and the amount paid from public funds for such purposes; and
- 27.6.2. to make payment to Members of such an amount as the Branch Board may, in its discretion decide, in respect of their out of pocket and other expenses in attending Federation meetings, any Charity or Benevolent event, any Federation event, any Chief Officer's event, any National Police Memorial Day event and any other event approved by the Branch Board that is for the benefit of Members, and commitments falling within the jurisdiction of the fund.
- 27.7. on the arrangement and operation of member services, including insurance, medical and superannuation and similar schemes and any other service for the benefit of Members their partners and families and committee staff; and where agreed by the Branch Board the benefit of non-members who are or were employed as police or Federation staff and the partners and families of such non-members;
- 27.8. to advance a loan or grant to a Central Committee upon such terms and conditions as the Branch Board may determine;
- 27.9. on charitable or benevolent purposes;
- 27.10. to authorise the payment of a sum of money to, or the purchase of a gift, the value not exceeding such limit as the Joint Branch Board shall from time to time decide, for any person, whether or not a Member where, in the opinion of the Branch Board, the individual has made a valid or recognisable contribution to the Federation or its Members;
- 27.11. on the arrangement and operation of any Federation event approved by the Branch Board for the benefit of Members;
- 27.12. on the provision of welfare, support and facilities approved by the Branch Board;
- 27.13. on the purchase of items of Federation memorabilia or merchandise for sale or otherwise;
- 27.14. on subscriptions to the National Association of Retired Police Officers (NARPO) for Retired Members for such period, if any, as the Branch Board may determine; and
- 27.15. on any other matter which is incidental or conducive to the aims, purposes or operations of the Federation.

LEGAL ASSISTANCE

28. A Branch Board Fund may be used to meet the cost of legal advice and/or assistance for and to support legal action (including the defence of proceedings) by or on behalf of the Branch Board, including:
- 28.1. payment of any related costs including, without limitation, expert fees, other disbursements and adverse costs orders;
 - 28.2. payment of any damages or compensation awarded against the Federation;
and
 - 28.3. payment of any sum in connection with the settlement of a claim that has or might have given rise to legal proceedings against the Federation.

PART 4 GENERAL

29. When any matter relating to Federation Funds is being dealt with at any Federation meeting, including a meeting of:
- 29.1. annual conference;
 - 29.2. the Joint Central Committee;
 - 29.3. a rank Central Committee; or
 - 29.4. a Branch Board
- no Member who is not a Qualifying Member shall be entitled to raise such a matter or to speak or vote on such matter.
30. In the event of an amalgamation of two or more Police Forces, whether voluntary or otherwise, all Funds held by the Branch Boards of the forces amalgamating shall be transferred to the new Branch Board.
31. In the event of a reorganisation of a Police Force or Police Forces which results in members of a Branch Board being split between two or more Police Forces, then the Branch Board Funds shall be split, and where appropriate transferred, pro rata the number of serving Members involved.
32. The Joint Central Committee will be the arbiters as to whether Branch Board Funds have been used in accordance with these Rules and the Regulations.

SCHEDULE - GLOSSARY

33. These Rules are subject to the Regulations. In the event of any conflict with the Regulations, the Regulations will prevail.

34. In these Rules, unless the context requires otherwise:

34.1. "Death Benefit" has the meaning set out in Rule 19.10;

34.2. "the Federation" means the Police Federation of England and Wales;

34.3. a reference to an "injury benefit" includes any benefit payable under the Police (Injury Benefit) Regulations 2006 whether payable to a Member or a Member's survivor;

34.4. "the JCC Officers" has the meaning set out in Rule 19.5;

34.5. "Joint Branch Board" has the same meaning as in the Regulations, other than that in relation to the Metropolitan Police Service a reference to a Joint Branch Board is to be read as a reference to the Joint Executive Committee;

34.6. "Legal Assistance" has the meaning set out in Rules 21 and 22;

34.7. "Member" has the same meaning as " a member of the Federation" in the Regulations, but also includes a Retired Member;

34.8. "Qualifying Member" has the meaning set out in Rule 14;

34.9. "the Regulations" means the Police Federation Regulations 1969;

34.10. "Retired Member" has the meaning set out in Rule 16;

35. In these Rules, unless the context requires otherwise:

35.1. any reference to a statutory provision refers to the provision as it is in force from time to time, taking into account any amendment or re-enactment;

35.2. the words "includes" and "including" or any similar terms are not words of limitation.