

Lost and Found Property

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Policy Statement

Summary

The purpose of this policy is to provide a summary of the roles and responsibilities of West Yorkshire Police regarding the management of lost and found property.

The police service has traditionally accepted responsibility for the recording of lost and found property and for providing a system whereby the owners of identifiable property are established, and their items are returned to them. Although there is no statutory duty to maintain this system, it is widely accepted by the public that if property is lost or found, it is dealt with by the police.

The National Police Chiefs Council have made a decision that Police Services across England and Wales should stop taking reports of lost property (1st November 2018) and found property (1st February 2019), unless it falls into certain categories, mainly around threat and risk.

Items that are not included in this policy, nor are seized as part of an investigation, should not routinely be accepted into Force.

Where West Yorkshire Police do take possession of property falling outside of the above, it is the duty of the officer taking possession to agree with the property owner how they wish for it to be managed when it is no longer required by us, i.e. disposed of or returned to the owner. This must be documented on Niche.

Where the property is of value or is hazardous in nature, there is a more obvious obligation on the police to ensure that the loss is properly investigated or that found property is dealt with in a manner that will protect the rights of the owner, or minimise any perceived risks.

Scope

This policy applies to all police officers and police staff.

Principles

General

West Yorkshire Police will:

- Only retain property for the minimum amount of time required;
- Provide appropriate and secure storage for property in our possession;
- Make reasonable effort to contact the owner of any identifiable found property handed to us; and
- Dispose of all property not to be returned to an owner in the most appropriate manner.

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- Responsibilities**
- The main role of dealing with lost and found property lies with operational police officers, PCSOs, Customer Contact Centre and Public Enquiry Counter staff. Responsibilities include:
 - Searching Niche RMS to ascertain whether an item reported as lost, has been recorded as 'Found' on the database;
 - Taking property to a police station and follow steps below, if it is handed to an operational officer/PCSO;
 - Making efforts to reunite an identifiable item of found property with its owner in line with this policy;
 - Assessing whether found property is recordable;
 - Fully completing a Niche RMS record if the item is recordable; and
 - Updating Niche where necessary if an item is returned to an owner/finder.
 - **Police officers and PCSOs have no personal claim to any property found whether on or off duty.**
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Lost Property

- Principles**
- With effect from the 1st November 2018 West Yorkshire Police will no longer keep records of reported lost property (unless the loss is likely to be a danger to others).
 - Instead, the Force will maintain an accurate found property database of identifiable and/or valuable property, which will be searched, should a member of the public report such lost property.
 - When a member of the public reports a loss, a check of Niche RMS will be performed.
 - If the property lost is likely to be a danger to others (e.g. firearms or dangerous drugs), it will be necessary to take immediate action to minimise risk and locate the item. This may include; creating a STORM LOG, considering circulating information by using PNC broadcast facility or other message system on a Force, region or countrywide basis; and where there is immediate need, police patrols communicating directly with the public.
 - **Officers must seek the advice of a supervisor whenever they consider that lost property constitutes a danger to the public.**
 - It is always important to search Niche RMS to check whether the item reported as lost has already been reported 'Found'. If the property is found on the database, the existing 'Found' property record can be used to add the owner's details.
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Found Property

Principles

- With effect from the 1st February 2019 West Yorkshire Police will no longer keep records of reported found property unless it falls into certain categories detailed in this document.
 - All property coming into the possession of West Yorkshire Police will be dealt with responsibly and with due respect for owners' rights.
 - Property coming into Police possession will be classified as 'Found' and we will where possible, reunite it with its owner.
 - Where the owner cannot be traced West Yorkshire Police will dispose of it in accordance with this procedure.
 - West Yorkshire Police will not deprive others of their possessions, except in the public interest and subject to the conditions provided for by law.
 - Before handling any property, officers and staff **must** consider the safety of the public and themselves and carry out a risk assessment.
 - In circumstances where property is in Police possession that is dangerous or illegal, property will be disposed of in an appropriate manner with the safety of the public and staff being paramount.
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Describing Property

- Items of found property must be described as clearly and as thoroughly as possible to assist identification and make the record viable. For example, a found item simply described as 'a camera' is not sufficient to be able to reunite it with its owner. Further details should be obtained before the report is taken. Mention colour, size, shape and any names, marks and other identifying features. Any manufacturer's number, serial number and or other unique identifiers must be included.
- Officers **must not** make assumptions about property that may be misleading and possibly hinder identification. For example, rather than assuming an item of jewellery is gold and containing precious stones, it is better to refer to an item as "made of yellow metal and containing a single white stone", than described as a gold and diamond solitaire ring.
- The recommendation of this Force is that the public shall be encouraged to retain the property from the outset and the police service will not accept and record found property except under certain circumstances where retention by the finder shall not be permitted.
- Exceptions to the above are:
 - Where the finder is a paid or unpaid servant of the Police service;
 - Where the property was found on police premises, in a police vehicle, in a vehicle hired to police or otherwise used by police;
 - Where the property is suspected of being of evidential value or could be used to support the commission of offences;
 - Where the property is an item requiring special action (see further information below);
 - Where it would be unlawful for the finder to retain the property (see further information below);
 - Where in the opinion of an approved person it would be unwise to retain the property; or

- Cash of any amount and items capable of containing data – for example mobile phones or computers.

Categories for Found Property

- West Yorkshire Police will classify found property into one of the following categories.
 - **Accepted and Recorded** - Something is appropriate or legally required to be brought to a police station so that we can fulfil our obligations under law.
 - **Accepted and Processed Immediately** - For items that fall into this category presented to front counters, the front counter would take the item and forward it on to the appropriate organisation as listed on the rear of the item. For calls into the organisation, it is recommended that the public are directed to forward the items themselves, as requested on the rear of the item.
 - **Not Accepted** - These are items that will no longer be accepted as found property unless they happen to meet one of the over caveats listed above as an exception.
- Please refer to the below regarding the category found property is listed.

Accepted and Recorded:

- Items capable of containing data for example mobile phones, computers, tablets
- Cash within wallets that are identifiable
- Cash
- Items suspected of being involved in crime
- Firearms and ammunition
- Drugs, medications and poisons
- Explosives
- Chemicals

Accepted and Processed Immediately

- Passports
- Bank cards
- Identity cards
- Personal documentation (e.g. bank statements. Benefit books)
- Birth, marriage and death certifications
- Driving Licences

Not Accepted

- Bicycles
- Empty handbags, bags, wallets and purses
- Cases
- Clothing
- Perishable goods
- Animals
- Rubbish/Waste
- Umbrellas
- Keys
- Spectacles

- Watches (except if capable of containing personal data)
 - Jewellery
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Items of Found Property that CANNOT be retained by the Finder

- Officers and staff **must not** allow a finder to keep property where the owner has been or can potentially be identified, or it is something they should not be allowed to keep as follows:
 - War medals;
 - HM Forces equipment;
 - Confidential documents;
 - Personal documents such as driving licences, passports etc.;
 - Property where continued possession by the finder would be unlawful;
 - Weapons;
 - Mobile telephones;
 - Drugs, medicines and poisons;
 - Property of considerable value;
 - Money;
 - National Insurance and savings stamps;
 - Postal orders; and
 - Gift vouchers.
 - Treasure – Officers and staff must contact the Coroner's Office immediately if:
 - Told by someone that they possess an item which may be 'treasure'; or
 - A person hands you an item of 'treasure'.
 - Further detailed information is provided within the Codes of Practice to The Treasure Act 1996.
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Responsibilities Finder

- A person finding property is not legally required either to hand it in, or to report the find to the Police but must, however, take reasonable steps to find the owner to avoid committing an offence of theft.
 - Reasonable steps may include putting a notice in a newspaper, in a local shop window or on the garden gate. What is reasonable will depend on the nature of the property and the circumstances in which it is found.
 - Losing possession of the property does not mean that the owner has lost legal title or interest.
 - However, after the owner, the person with the next best title to the property is the Finder and after taking those reasonable steps by:
 - reporting it to or handing it to the police, or
 - taking other reasonable steps to find the owner;the Finder can keep the property.
 - The owner still has a right to the property and may have it restored by taking civil action.
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Retention and Disposal of Found Property

- West Yorkshire Police maintains an ongoing service to the community in dealing with limited found property. In order to reduce administration and storage requirements, Finders will be encouraged in most cases to retain possession of property. However, **the Finder should not retain it where the following conditions apply:**
 - If they are under 17 years of age and not with a parent or guardian;
 - If they are not a resident in the Force area or is of no fixed address;
 - Property is identifiable or any of the following:
 - Appears to be valuable;
 - May be proceeds of crime;
 - Mobile phones;
 - Drugs or poison;
 - Personal, business or confidential documents;
 - Would be an offence to possess;
 - Military equipment or medals;
 - Firearms, ammunition or explosives;
 - Mail; or
 - Keys.
 - As a minimum, items must be retained for the following periods:
 - Unidentifiable property of insignificant value – 1 Day (NOT recorded on Niche RMS)
 - All other property – 28 days (recorded on Niche RMS).
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Recordable Property Types

Guidance

- West Yorkshire Police has drawn up a quick guide outlining responsibilities for the recording of property types.
- **As the purpose of recording property is to reunite items with the lawful owner – property records must ONLY be created where this will assist this aim.**
- Officers must not record any item on Niche RMS if they can successfully identify the rightful owner within their tour of duty.
- For example, if a driving licence is handed in as a found item, the details on the licence are recognised, the address on the licence is local, or it's possible to find a phone number for the owner, immediate efforts must be made to return the licence to them.
- Details of all actions, and signature for return if successful, should be recorded within the electronic pocket notebook.
- The only exception to the above recording rule is where a finder wishes to claim an item if not reunited with an owner. In this case the item should be recorded. As the finder wants it, we will need to track it through the system. The finder should be encouraged to keep the item in these circumstances (if Policy permits it), but it should still be recorded.

- The following table provides details of what action should be taken with respect to different types of property. This list is not exhaustive, but does cover the most common types of property we deal with:

Perceived High Value (e.g. jewellery, MP3 player)

- Lost Property Reporting Procedure: **DO NOT RECORD**. Check Niche RMS.
- Found Property Reporting Procedure: **RECORD ON NICHE RMS**

Wallets/Purses/Bags

- Lost Property Reporting Procedure: **DO NOT RECORD**. Check Niche RMS. Inform loser that if it is handed in and we can identify it as their property from the contents, they will be contacted.
- Found Property Reporting Procedure: If item contains cash, see cash procedures below. If wallet etc. contains items that could identify the owner, make immediate efforts to contact the owner. E.g. If item contains bank/credit cards etc., call bank and ask for owners details or for them to ask owner to contact you.

Cash

- Lost Property Reporting Procedure: **DO NOT RECORD**. Check Niche RMS. Inform the loser that if the cash is not contained within something identifiable (e.g. a bag or wallet), or there is no specific information to identify that found cash is the same as the cash they are reporting, cash cannot be released.
- Found Property Reporting Procedure: **FOR AUDIT & INTEGRITY PURPOSES, ALL FOUND CASH MUST BE RECORDED ON NICHE RMS**. If reported by phone, ask finder to take cash to nearest PEC. If they cannot do so, create a STORM log and ask a patrol to attend. If cash is handed in at the enquiry desk, it must be counted by the receiving officer in the presence of the person handing it in and the details recorded on Niche RMS.

Mobile Phones

- Lost Property Reporting Procedure: **DO NOT RECORD**. Check Niche RMS. Inform loser that if it is handed in and their IMEI number is registered, they will be contacted. Suggest loser considers registering products on an external site – for example Immobilise.com.
- Found Property Reporting Procedure: Check IMEI number on NMPR database reunite phone with owner. **If owner cannot be identified, is phone deemed to be of value? YES** - record on Niche RMS. **NO** – pass to Evidence store for secure disposal. *The finder cannot retain or claim a mobile phone.

Bank Cards/Debit Cards

- Lost Property Reporting Procedure: **DO NOT RECORD**. Advise loser to report to Bank / Financial Institution.
- Found Property Reporting Procedure: **DO NOT RECORD**. If reported by phone, advise finder to follow instructions on back of card. Advise finder to either cut up cheque books / bank cards or return to

a branch of the issuing bank, whichever they prefer. If handed in, take from finder, cut up and dispose of in confidential waste.

UK Driving Licence

- Lost Property Reporting Procedure: **DO NOT RECORD**. Tell the loser they do not need to inform DVLA of the loss, but must immediately reapply for a replacement licence.
- Found Property Reporting Procedure: **DO NOT RECORD**. If reported by phone, advise finder to send driving licence to: DVLA. If handed in, make efforts to contact the owner. If this is not possible within 24 hours, return to the DVLA via WYP DVLA Liaison Officer.

UK Passport

- Lost Property Reporting Procedure: **DO NOT RECORD**. Tell loser that for security and legislative reasons, we immediately return found passports to the Passport Office. Advise loser to report the loss to the Passport Office.
- Found Property Reporting Procedure: **DO NOT RECORD**. If reported by phone, advise finder to send passport to: HM Passport Office. If handed in, take passport from finder and return to HM Passport Office having first cut off the top corner of the front and back cover to render the passport invalid.

Foreign Passports and other foreign identification documents

- Lost Property Reporting Procedure: **DO NOT RECORD**. Advise loser to report the loss to their Foreign Embassy.
- Found Property Reporting Procedure: **DO NOT RECORD**. All foreign national passports and other travel documents should be sent immediately to the National Document Fraud Unit. **Do not** cut, mark or interfere with a non-UK passport or identity document, as they are the property of the respective issuing government.

Military ID Cards/Service Documentation

- Lost Property Reporting Procedure: **DO NOT RECORD**. Advise loser to report to issuing authority.
- Found Property Reporting Procedure: **DO NOT RECORD**. If reported by phone, advise finder to send to appropriate authority. If handed in, take from finder and return to appropriate authority.

Other ID Cards

- Lost Property Reporting Procedure: **DO NOT RECORD**. Advise loser to report to issuing authority.
- Found Property Reporting Procedure: **DO NOT RECORD**. If return address is stated on card, return to issuing authority. If no return address, cut up card and dispose of in confidential waste.

Birth/Marriage/Death Certificate

- Lost Property Reporting Procedure: **DO NOT RECORD**. Inform loser that for security reasons, any identification certificates are immediately returned to the issuing registry office.

- Found Property Reporting Procedure: **DO NOT RECORD**. Advise finder (as per instructions from General Register Office) to destroy the certificate.

Firearms/Ammunition

- Lost Property Reporting Procedure: **DO NOT RECORD**. Check Found records on Niche. **Generate a STORM log and bring to the immediate attention of a supervisor.**
- Found Property Reporting Procedure: Ensure the weapon is secured and made safe as per the Firearms Make Safe Standard Operating Procedure. **Record as Found Property on Niche RMS.**

Vehicles

- Lost Property Reporting Procedure: The presumption here is that vehicles are stolen – **DO NOT RECORD as Lost**. Follow crime recording procedures.
- Found Property Reporting Procedure: The presumption here is that vehicles are stolen. **DO NOT RECORD as Found. Vehicles should be dealt with under the vehicle recovery scheme.**

Cycles

- Lost Property Reporting Procedure: If there is clear evidence of a crime, follow crime recording procedures. If the cycle is lost, **DO NOT RECORD**. Check Niche RMS.
- Found Property Reporting Procedure: **RECORD ON NICHE RMS**. Only cycles known to have been the subject of crime and where their collection is required to obtain evidence of that crime, should be stored by police, otherwise the finder should be encouraged to retain.

Dogs

- Lost Property Reporting Procedure: **DO NOT RECORD**. Advise the loser to contact the local dog warden/Council.
- Found Property Reporting Procedure: **DO NOT RECORD**. Advise the finder to liaise with the local dog wardens/council.

Drugs (Prescribed)

- Lost Property Reporting Procedure: **DO NOT RECORD**. If public safety issue, carry out risk assessment and refer to Supervision.
- Found Property Reporting Procedure: **DO NOT RECORD**. Pass to Evidence Stores for secure disposal by Evidence Stores Staff.

Poison, Toxics or other dangerous chemicals

- Lost Property Reporting Procedure: **DO NOT RECORD. Create STORM log and bring to the immediate attention of a supervisor.**
- Found Property Reporting Procedure: **DO NOT RECORD. Create STORM log and bring to the immediate attention of a supervisor.** Contact Local Authority / Environmental Health Department for advice and make arrangements for immediate disposal. If packaging is damaged consider calling the fire service.

Keys

- Lost Property Reporting Procedure: **DO NOT RECORD**. Inform loser

that if they are handed in and can be identified, they will be contacted.

- Found Property Reporting Procedure: **DO NOT RECORD**. Pass to Evidence store for secure disposal. **Finder must not retain keys and not claim them.**

Used Clothing

- Lost Property Reporting Procedure: **DO NOT RECORD**.
- Found Property Reporting Procedure: **DO NOT RECORD**. Pass to Evidence store for disposal. If soiled, dispose of immediately in general rubbish as valueless.

Spectacles

- Lost Property Reporting Procedure: **DO NOT RECORD**. Inform loser that if they are handed in and can be identified, they will be contacted.
- Found Property Reporting Procedure: **DO NOT RECORD**. Pass to Evidence store for disposal.

Perishable Goods and Rubbish

- Lost Property Reporting Procedure: **DO NOT RECORD**.
 - Found Property Reporting Procedure: **DO NOT RECORD**. Dispose of immediately as valueless.
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Additional Information

Further Information

Further guidance in relation to this policy can be sought from:

- Evidence Managers at District Evidence Stores or the Force Area Evidence Co-ordinators
 - The Force Evidence page A-Z leaflets and poster guidance
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