



cleveland police authority

WHISTLEBLOWING POLICY

1. Introduction

- 1.1 Cleveland Police Authority is committed to the highest possible standards of honesty and openness, probity and accountability. It seeks to conduct its business in a responsible manner, ensuring that all its activities are open and effectively managed and that its integrity is sustained.
- 1.2 In line with that commitment, the Authority encourages staff (and other people associated with the Authority) who may have serious concerns about any aspect of their work to come forward and voice those concerns.
- 1.3 It is recognized that most concerns will be expressed in confidence. Where possible that confidence will be maintained.
- 1.4 Staff often are the first to realise that there may be something seriously wrong within the Authority. However, staff may not express their concerns because they feel that speaking up would be disloyal to their colleagues or to the Authority. They may also fear harassment or victimisation. In these circumstances, it may be easier to ignore the concern rather than report what may just be a suspicion of malpractice. The Authority believes that it is the responsibility of each member of staff to realise that they not only have the right but also have a moral duty to report any **suspected improper actions or omissions**.
- 1.5 The Authority recognizes and appreciates that staff who raise concerns are an asset to the Authority, and not a threat. This policy makes it clear that staff can raise concerns without fear of victimisation subsequent discrimination or disadvantage.
- 1.6 This policy is in addition to the Force's extant reporting arrangements, the complaints procedures and other statutory reporting procedures which apply.

2. **Aims and Scope of the Policy**

2.1 The policy aims to

- Encourage staff to feel confident in raising serious concerns and to question and act upon concerns about practice
- Provide avenues to raise those concerns and receive feedback on the action taken
- Ensure that staff receive a response to their concerns and that they are aware of how to pursue them if they are not satisfied
- Reassure staff that they will be protected from possible reprisals or victimisation **provided** they have a reasonable belief that they have made a disclosure in good faith.

2.2 The policy is intended to cover major concerns that fall outside the scope of other procedures, such as the Grievance Procedure and includes:

- conduct which is an offence or a breach of the law
- failure to comply with a legal obligation
- disclosures related to miscarriages of justice
- health and safety risks including risks to the public as well as other employees
- damage to the environment
- the unauthorised use of public funds
- possible fraud and corruption
- sexual, physical or psychological abuse; or
- other unethical conduct.

2.3 This policy also extends to other people associated with the Authority, including but not limited to contractors and their staff, volunteers, and Members of the Police Authority.

3. **Safeguards for Staff**

3.1 The Authority recognizes that the decision to report a concern can be a difficult one to make. If a member of staff reasonably believes that what they are saying is true, they should have nothing to fear because they will be doing their duty to their employer and those for whom they are providing a service. The Authority will not tolerate any act of harassment or victimisation (including informal pressure) and will take appropriate action to protect staff when they raise a concern, by supporting the member of staff and considering action under the appropriate procedure against the person or persons responsible for the acts, provided the member of staff

- discloses the information in good faith
- believes the concern to be substantially true
- does not act maliciously or make false allegations and
- does not seek any personal gain.

3.2 All concerns will be treated in confidence and every effort will be made to maintain that confidentiality. However it may become necessary to take formal action resulting in the requirement for the whistle blower to provide a witness statement and possibly give evidence.

3.2 Staff are encouraged to put their name to an allegation whenever possible. Concerns expressed anonymously are less powerful but will be considered, at the discretion of the Authority. In exercising its discretion, the factors to be taken into account would include

- the potential seriousness of the issues raised;
- the credibility of the concern; and
- the likelihood of confirming the allegation from attributable sources.

3.3 If a member of staff makes an allegation in good faith but it is not confirmed by the investigation, no action will be taken against them. If, however, an allegation is made frivolously maliciously, or for personal gain, disciplinary action may be taken.

4. **How to Raise a Concern**

4.1 As a first step staff should normally raise concerns with their own immediate manager or their line management. However this depends on the seriousness and sensitivity of the issues of concern, and who may be involved. So for example if it is thought that management may be involved an approach should be made to the Chief Executive, or the Monitoring Officer. A useful visual guide for anyone wishing to raise a concern is attached to this policy document.

4.2 Any concern regarding the conduct of a Member of the Authority should be raised with the Monitoring Officer who will refer it to the Standards Committee.

4.3 Although staff are not expected to prove the truth of an allegation, it will need to be demonstrated to the person contacted that there are reasonable grounds for concern.

4.4 Staff are encouraged to express any concern at an early stage when it is easier to take action.

4.5 Members of staff will be encouraged to put in writing the background and details of their concern, to aid investigation. Although they will not be required to do so initially this may become necessary later in the process to enable the Authority to pursue appropriate action and, if required, to justify that action.

4.6 Other people associated with the Authority who wish to raise a concern may contact the Chief Executive, or the Monitoring Officer,

5 **What Not to Do**

5.1 In the context of this policy those wishing to raise a matter should not do the following.

- Contact the person or persons who are the subject of reporting, for example to ascertain facts;
- Particularly if you are a member of staff, discuss the case facts, allegations, or suspicions with anyone outside the organisation (including the media), unless specifically directed to do so by the Chief Executive or Monitoring Officer;
- Discuss the case with anyone within the organisation other than any person assigned to investigate your concerns, the Chief Executive or the Monitoring Officer.
- Attempt to personally conduct investigations or interviews or question anyone, unless specifically directed to do so by any person assigned to investigate your concerns, the Chief Executive or the Monitoring Officer.

6. **Help for Staff**

- 6.1 Members of staff are entitled to contact the Force's Head of Legal Services for advice, if they wish. They may also wish to contact an independent external organisation, such as the Audit Commission or Public Concern at Work.
- 6.2 Members of **staff may be accompanied** by a colleague or a trade union representative or a friend when raising their concern or in any subsequent interviews.

7. **The Authority's Response**

- 7.1 The Authority will respond to all concerns raised by staff, giving an initial response within ten working days. All concerns will be treated seriously and considered fully and objectively.
- 7.2 Requests for confidentiality will be respected **where possible**.
- 7.3 Where appropriate, matters raised will be investigated by the Monitoring Officer (or someone to whom the Monitoring Officer delegates this responsibility), through internal audit or through the disciplinary process. Where a concern alleges financial impropriety, internal audit will be advised.
- 7.4 Depending on results of the investigation and at the discretion of the Authority's Chief Executive, the matter may be:
- referred to the Head of Internal Audit.
 - referred to the external auditor.
 - form the subject of an independent enquiry.
 - referred to the police.
- 7.5 In making decisions about the appropriate action, the overriding principle which the Authority will have in mind is the public interest.
- 7.6 Within 10 working days of the concern being raised, the Monitoring Officer will respond in

writing (or through the confidential e-mail system):

- acknowledging that the concern has been received
- indicating how the Authority proposes to deal with the matter
- giving an estimate of how long it will take to provide a final response
- advising whether any initial enquiries have been made
- supplying information on support for staff and
- advising whether further investigations will take place and if not, why not.

7.7 The Monitoring Officer will follow the procedures for conducting an investigation set out in the Authority's Protocol for undertaking local investigations in complaints against Members.

8. **How the Matter can be taken Further**

8.1 The policy is intended to provide members of staff with the opportunity to raise concerns with the Authority and to have them addressed. The Authority hope that members of staff will be satisfied with the action taken. If not and the member of staff thinks it is right to go beyond the Authority, the following are possible contacts:

- The external auditor
- A recognised trade union / federation
- Local Citizens Advice Bureau
- Relevant professional bodies or regulatory organisation
- Relevant voluntary or independent organisation
- the police
- The Local Government Ombudsman

8.2 If the matter is taken outside the Authority, staff should ensure that they do not disclose confidential information which is not in the public domain.

9. **Monitoring the Operation of the Policy**

9.1 The Monitoring Officer has responsibility for the maintenance and operation of this policy, and should maintain a record of concerns raised and the outcomes in a form which does not endanger confidentiality. An annual report should be submitted to the Police Authority which will include the following:

- whether the policy is being used appropriately.
- whether there is any pattern of concern across the Authority.
- whether the policy is effective in identifying and deterring malpractice.
- any proposed revisions to agreed arrangements.

What is being Reported	Examples of Issues			
	<ul style="list-style-type: none"> ❖ Criminal Offence ❖ Corruption ❖ Miscarriage of Justice 	<ul style="list-style-type: none"> ❖ Breach of legal obligation ❖ Malpractice ❖ Unethical behaviour 	<ul style="list-style-type: none"> ❖ Dishonesty ❖ Breach of "Code of Conduct" ❖ Deliberate concealment of above 	<ul style="list-style-type: none"> ❖ Breach of Health & Safety regulations ❖ Environmental damage



Who can I report to?	Individual to choose from, for example							
	Direct to Line Management	Chief Executive	Monitoring Officer	Head of Internal Audit	Professional Standards Department	Audit Commission	Any Police Officer	Trades Union or Staff Association
	01642 301291	01642 301226	0113 244 5451	01642 306800	0191 460 2022			



Report in an Open Way or Closed & "In Confidence"



How can I Report?	Its your choice!							
	In Person	By Letter	By Fax	By Telephone	By e-mail	Confidential Telephone Line 08000281060	Intranet Confidential E-mail system	Crimestoppers 0800 555 111