

CONFIDENTIAL REPORTING POLICY

- 1.1 Employees and appointees are often the first to realise that there may be something seriously wrong within the Police Authority or their team. However, they may not say anything because they feel that speaking up would be disloyal to their colleagues or to the Authority. They may also fear harassment or victimisation. It may be easier for them to ignore the concern rather than report what may just be a suspicion of malpractice.
- 1.2 The Authority is committed to the highest possible standards of openness, probity and accountability. So we expect employees and appointees, and others we deal with, who have serious concerns about the Authority's work to come forward and voice them.
- 1.3 It is recognised that most cases will have to proceed on a confidential basis. This policy document makes it clear that you can do so without fear of victimisation, subsequent discrimination or disadvantage. This Confidential Reporting Policy is intended to encourage and enable employees and appointees to raise serious concerns within the Authority rather than overlooking a problem or `blowing the whistle` outside.
- 1.4 The Policy applies to all employees and appointees of the Police Authority, for example Independent Custody Visitors.
- 1.5 These procedures do not stand alone and are in addition to, for example, the Authority's internal grievance and other personnel procedures as well as the Complaints Procedure. Where other procedures are activated simultaneously, a clear agreement will be reached between the officer who is investigating the concern and the individual making the report about the separate procedures, with agreed programmes for each and an agreement as to whether or not information can be shared for the purposes of each procedure.

2. Aims and scope of this Policy

- 2.1 There is existing procedure in place for you to lodge a grievance relating to your own employment. The Confidential Reporting Policy is intended to cover major concerns that fall outside the scope of other procedures. These include:
 - conduct which is a criminal offence or a breach of the law;
 - 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;
 - any discrimination on the grounds of race, gender, sexual orientation, age or disability; and

- other unethical conduct.

2.2 Any serious concerns that you have about any aspect of service provision or the conduct of officers or members of the Authority or others acting on behalf of the Authority can be reported under the Confidential Reporting Policy. This may be about something that:

- makes you feel uncomfortable in terms of known standards, your experience or the standards you believe the Authority subscribes to; or
- is against the Authority's Standing Orders and policies; or
- amounts to improper conduct.

2.3 This policy aims to:

- encourage you to feel confident in raising serious concerns and to question and act upon concerns about practice;
- provide avenues for you to raise those concerns and receive feedback on any action taken;
- ensure that you receive a response to your concerns and that you are aware of how to pursue them if you are not satisfied; and
- reassure you that you will be protected from possible reprisals or victimisation if you have a reasonable belief that you have made any disclosure with the best intentions.

3. Safeguards: Harassment or Victimisation

3.1 The Authority is committed to good practice and high standards and wants to be supportive of all employees as an equal opportunity employer.

3.2 The Authority recognises that the decision to report a concern can be a difficult one to make. If you believe what you are saying is true, you should have nothing to fear because you will be doing your duty to your employer and those for whom you are providing a service.

3.3 The Authority will not tolerate any harassment or victimisation (including informal pressures) and will take appropriate action to protect you when you raise a concern with the best intentions.

4. Confidentiality

4.1 All concerns will be treated in confidence and every effort will be made not to reveal your identity if you so wish. However, at the appropriate time you may need to come forward as a witness.

4.2 This policy encourages you to come forward in person to raise your concern. However, concerns expressed either in person or anonymously will be considered and investigated.

5. Untrue Allegations

- 5.1 If you express a concern with the best intentions but it is not confirmed by the investigation, no action will be taken against you.
- 5.2 However, if you make an allegation frivolously, maliciously or for personal gain, disciplinary action may be taken against you.

6. How to raise concern

- 6.1 As a first step, you should normally raise concerns with your immediate manager or, if appropriate, their manager. However, this depends on the seriousness and sensitivity of the issues involved and who is suspected of the malpractice. It will be for you and/or your manager to deal with the issue or refer it to a Contact Officer under this policy (see paragraph 6.2 below).
- 6.2 If, for example, you have a problem which you feel has a legal aspect (for example if you think the conduct complained of could be criminal) you may feel it more appropriate to deal with the Authority's Solicitor. If it relates to financial problems the Treasurer might be appropriate.

The Contact Officers are:

The Treasurer	01243 777850
The Solicitor to the Authority	01273 481557
The Deputy Chief Executive	01273 481693

- 6.3 The Monitoring Officer, who is the Chief Executive, has special responsibility at officer level for propriety and standards within the Authority. If you feel that your complaint cannot be dealt with other than through the key officer responsible for propriety, you should contact the Monitoring Officer direct.
- 6.4 If you have a complaint about the Monitoring Officer which you would otherwise have taken to the Monitoring Officer, you should contact the Solicitor to the Authority.
- 6.5 Concerns may be raised either orally or in writing. Staff who wish to express their concern in writing are invited to use the following format:
 - the background and history of the concern (giving relevant dates); and
 - the reason why you are particularly concerned about the situation.

Your contact officer will provide any help you need in expressing your concern.

- 6.6 The earlier you express the concern the easier it is to take action.

- 6.7 Although you are not expected to prove beyond doubt the truth of an allegation, you will need to demonstrate to the person contacted that there are reasonable grounds for concern.
- 6.8 Contact for independent external advice – the Audit Commission’s confidential public interest disclosure telephone number is: 020 7630 1019.
- 6.9 If your concern is about a financial issue you should contact the Treasurer. The Anti-Fraud and Corruption Policy can be found in the Police Authority Handbook, which is also available on the Authority’s website.
- 6.10 You may wish to consider discussing your concern with a colleague first and you might find it easier to raise the matter if there are two (or more) of you who have had the same experience or concerns.
- 6.11 You may invite your trade union, professional association representative or a friend to be present during any meetings or interviews in connection with the concerns you have raised. Anyone who helps you will need to respect the confidentiality of the investigation.

7. How the Authority will respond

- 7.1 The Authority will respond to your concerns. Do not forget that testing out your concerns is not the same as either accepting or rejecting them.
- 7.2 The person you contact, whether it is your manager or the contact officer, will either deal with your issue or nominate someone to do so who will not have been involved in the issue themselves and will know how to carry forward this policy.
- 7.3 Where appropriate, the matters raised may:
- be investigated by management, internal audit, or through the disciplinary process;
 - be referred to the police;
 - be referred to the external auditor; and
 - form the subject of an independent inquiry.
- 7.4 In order to protect individuals who may be the subject of your concern and people against whom allegations of misdeed or possible malpractice are being made, the person nominated to deal with your issue will make initial enquiries to decide whether a fuller investigation is appropriate. He or she will also decide what form the investigation should take.
- 7.5 If the person nominated to deal with your issue finds aspects of the concerns fall outside the scope of this Policy, but which still need to

be addressed, they will normally be referred for consideration but will not be allowed to delay the investigation under this Policy.

- 7.6 Some concerns may be resolved by agreed action without the need for investigation. If urgent action is required this will be taken before any investigation is conducted.
- 7.7 Within three working days of a concern being raised with the person dealing with your issue, they:
- (i) will write to you:
 - acknowledging that the concern has been received;
 - indicating how we propose to deal with the matter, or whether independent advice will be sought;
 - giving an estimate of how long it will take to provide a final response;
 - telling you whether any initial enquiries have been made;
 - supplying you with information on staff support mechanisms; and
 - agree with you whether further investigations will take place; and
 - (ii) will inform, if appropriate, the Monitoring Officer that an issue has been raised under this policy.
- 7.8 The amount of contact between the officers considering the issues and you will depend on the nature of the matters raised, the implications involved and the details of the information provided. If necessary, the Authority will seek further information from you.
- 7.9 Where any meeting is arranged, off-site if you so wish, you can be accompanied by a trade union or professional association representative or person of your choice.
- 7.10 The Authority will take steps to minimise any difficulties which you may experience as a result of raising a concern. For instance, if you are required to give evidence in criminal or disciplinary proceedings the Authority will arrange for you to receive advice about the procedure or other appropriate support.
- 7.11 The Authority accepts that you need to be assured that the matter has been properly addressed. Thus, subject to legal constraints, we will inform you of the outcome of any investigation.

8. The Monitoring Officer

- 8.1 The Monitoring Officer has overall responsibility for the maintenance and operation of this policy. That officer maintains a record of concerns raised and the outcomes (but in a form which does not compromise your confidentiality) and will report as

necessary to the Authority on the number and general nature of reports received by the Monitoring Officer.

9. How the matter can be taken further

9.1 This policy is intended to provide you with an avenue within the Authority to raise concerns. The Authority hopes you will be satisfied with any action taken. If you are not, and if you feel it is necessary to take the matter outside the Authority, the following are possible contact points:

- the District Auditor
- your trade union
- your local Citizens' Advice Bureau
- relevant professional bodies or regulatory organisations.

9.2 If you do take the matter outside the Authority, you should ensure that you do not disclose confidential information.

Reporting

10.1 The Chief Executive, as Monitoring Officer, will ensure that reports to the Authority and its committees and working groups, as a result of confidential reporting, are properly informed by professional legal advice, involving the Solicitor to the Authority as necessary.